

## **30.16 Land Use Application Processing**

**30.16.010 Purpose.** The purpose of this Chapter is to provide standards and procedures for the acceptance, processing, hearing and final action of Land Use Applications. To merit approval by the approval authority, an application, amendment, or map must demonstrate compatibility with all applicable community goals as follows:

1. Furthering the purpose of the Plan.
2. Contributing to the general prosperity, health, safety, and welfare of the community.
3. Avoiding or minimizing impacts on adjacent property.
4. Complementing or enhancing the character of the neighborhood and promoting logical and orderly development patterns.
5. Minimizing negative impacts on traffic conditions.
6. Ensuring adequate parking is provided.
7. Minimizing negative environmental impacts, including but not limited to water, noise, dust, odor, smoke, air quality, drainage, light, glare, wildlife, vegetation, wetlands, and the natural functioning of the environment.
8. Providing or contributing to required public improvements, facilities, or services to ensure that adequate transportation, recreation, drainage, fire protection, utility, and other applicable needs are met.
9. Considering the impact on public schools.

**30.16.020 General Land Use Application Processing.** Land use applications may be initiated, accepted, processed, noticed, heard and acted upon in accordance with the provisions of this Chapter. Each application shall be processed as specified in this Chapter. Sections 30.16.040 through 30.16.200 establish specialized standards for processing and final action on various application types. Section 30.16.210 describes the general standards for processing and consideration of all applications. Section 30.16.230 details the notice requirements when a public hearing is required, and Section 30.16.240 lists document submittal requirements for each of the application types.

(Ord. 2970 § 2 (part), 11/2003)

**30.16.030 Procedural and Administrative Matrix. DELETED**

<b>Table 30.16-1: DELETED</b>
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(Ord. 2970 § 2 (part), 11/2003)

**30.16.040 Application Types.** Tables 30.16-2 through 30.16-17 describe the various Land Use Applications and the initiation, consideration, and final approval authorities for each.

**30.16.050 Text Amendment.** Applications to amend the text of the Unified Development Code shall be processed per Table 30.16-2. ***NOTE: ADDITIONAL REQUIREMENTS ARE ESTABLISHED IN SECTIONS 30.16.210 AND 30.16.240.***

Table 30.16-2 TEXT AMENDMENT - AUTHORITY AND CONSIDERATION TABLE							
SEE ALSO 30.16.210 for general process information and standards							
<b>a. Initiating Authority</b>	Board or Board member, Zoning Administrator, Director of Public Works, Director of Development Services, or a person with a property interest related to the requested text amendment						
<b>b. Standards for Acceptance</b>	<p><b>1.</b> Any member of the Board may direct the Zoning Administrator to prepare an ordinance and schedule it for introduction and a public hearing in accordance with Section 244.095-115 of the Nevada Revised Statutes. Any other person shall obtain the concurrence of a Board member prior to submission of a text amendment and, if applicable, shall comply with the following:</p> <p><b>A.</b> Prior to submitting a text amendment application to amend the Mixed Use Overlay District map, the property owner or applicant shall engage in a pre-submittal conference with the County pursuant to Section 30.48.750. The pre-submittal conference shall not be scheduled without written consent of the applicable Board member(s) pursuant to subsection (b)(1)(B) below.</p> <p><b>B.</b> Applications to amend the Mixed Use Overlay District map shall not be accepted without written consent of the Board member(s) in whose district the property is located; or, if any such Board member is constrained by ethical conflicts of interest or declines to consent to the acceptance of an application, a request for acceptance may be placed on an agenda for the Board to consider at the request of the applicant. When the Board member(s) in whose district the property is located declines to consent, the Board may nevertheless consider the request and approve acceptance of an application with a unanimous vote of the other Board members voting and not abstaining, subject to NRS requirements. In all other instances, a simple majority vote is required to accept an application.</p>						
<b>c. Document Submittal Requirements</b>	<p><b>1. Pre-Submittal Conference Requirements (mixed use development only):</b></p> <table border="0"> <tr> <td>20 compelling justifications</td> <td>20 vicinity maps</td> </tr> <tr> <td>20 project descriptions</td> <td>3 RISE reports</td> </tr> <tr> <td>2 landscape plans</td> <td>2 assessor's maps</td> </tr> </table> <p>Written consent from Board member(s) or Board approval per subsection (b) above</p> <p><b>2. All Other Application Submittals:</b></p> <p>Application form</p> <p>3 justification letters</p> <p>Disclosure form</p> <p>Concurrence with the merits of the text amendment from a member of the Board</p> <p>Additionally, for applications to expand or amend the Mixed Use Overlay District: vicinity map, project description, reports, compelling justification pursuant to Section 30.48.720(b), and written consent from Board member(s) or Board approval per subsection (b)(1)(B) above</p> <p>(See Section 30.16.240 Document Submittal Requirements)</p>	20 compelling justifications	20 vicinity maps	20 project descriptions	3 RISE reports	2 landscape plans	2 assessor's maps
20 compelling justifications	20 vicinity maps						
20 project descriptions	3 RISE reports						
2 landscape plans	2 assessor's maps						
<b>d. Fee</b>	<p>\$200;</p> <p>Applications to amend the Mixed Use Overlay District shall require an additional notification fee of \$1,000 plus \$1 per every notice over 1,000, and a pre-submittal conference fee of \$500</p>						
<b>e. Application Process</b>	Hearing before the Board per 30.16.210; plus Commission for applications to amend the Mixed Use Overlay District, whose recommendation shall be forwarded to the Board no sooner than the second zoning agenda following Commission action						
<b>f. Notice Requirements</b>	Posted notice, entity notice, and city notice; plus 2,500 foot radius and signs for amendments to the Mixed Use Overlay District. If the proposed regulation is to amend airport zoning regulations, the notice must be sent 15 calendar days prior to the hearing, in accordance with NRS 497.080 (See Section 30.16.230 Notice)						
<b>g. Recommending Entities</b>	Cities, Government entities, and Town Board						

<b>Table 30.16-2      <i>TEXT AMENDMENT - AUTHORITY AND CONSIDERATION TABLE</i></b> <b><i>SEE ALSO 30.16.210 for general process information and standards</i></b>	
<b>h. Approval Authority</b>	Board
<b>i. Standards for Approval</b>	<ol style="list-style-type: none"> <li>1. If a determination is made that an amendment requested by a person other than a Board member may serve the general prosperity, health, safety, and/or welfare of the entire County, the Board may direct the Zoning Administrator to draft an ordinance accordingly. The Zoning Administrator shall schedule the ordinance for introduction and a public hearing in accordance with NRS Section 244.095-119</li> <li>2. A text amendment is not intended to relieve particular hardships nor to confer special privileges or rights upon any person or property</li> <li>3. A text amendment to expand or amend the Mixed Use Overlay District shall only be approved when the proposed area meets the intended purpose of the Overlay, including transit-oriented development as described in Sections 30.48.700 and 30.48.760, and the proposal constitutes a broader, community-serving adjustment of Overlay boundaries rather than site-specific, parcel-based adjustments</li> </ol>
<b>j. Related Application Submittal</b>	A required Land Use Application may be submitted after an enabling ordinance has been adopted, provided the application is not acted on before the effective date of the ordinance; however, applications for a mixed use development may be submitted after approval of the text amendment provided they are not acted upon prior to the effective date of the ordinance amending the Mixed Use Overlay District map

(Ord. 3848 § 3 (part), 2/2010; Ord. 3549 § 3(part), 9/2007; Ord. 3432 § 2(part), 10/2006; Ord. 3354 § 2 (part), 2/2006; Ord. 3296 § 3 (part), 10/2005; Ord. 3229 § 3 (part), 6/2005; Ord. 3219 § 2 (part), 5/2005; Ord. 3209 § 4 (part), 3/2005; Ord. 3174 § 2 (part), 1/2005; Ord. 3085 § 39, 6/2004; Ord. 2970 § 2 (part), 11/2003)

**30.16.060 Zone Boundary Amendment.** Applications to amend the Official Zoning Map shall be processed per Table 30.16-3. **NOTE: ADDITIONAL REQUIREMENTS ARE ESTABLISHED IN SECTIONS 30.16.210 AND 30.16.240.**

<b>Table 30.16-3 ZONE BOUNDARY AMENDMENT - AUTHORITY AND CONSIDERATION TABLE</b> <b>SEE ALSO 30.16.210 for general process information and standards</b>	
<b>a. Initiating Authority</b>	Board or property owner
<b>b. Standards for Acceptance</b>	<ol style="list-style-type: none"> <li>1. Proposed amendments shall be processed as conforming amendments if submitted on or after the adoption date of the land use plan map when in compliance with the definition of conforming amendment; however, such applications shall not be acted upon prior to the effective date of the adopted land use plan.</li> <li>2. Nonconforming amendments shall not be considered within 2 years of the plan's adoption unless approval is received in writing from the Commissioner in whose district the property is located; or, if such Commissioner is constrained by ethical conflicts of interest, the request shall be placed on an agenda for the Board to consider. Notwithstanding the above, the content of a zone boundary amendment may ultimately be determined to be nonconforming although the request is processed as conforming.</li> <li>3. Amendments may follow the parcel lines identified on the Clark County Assessor's parcel map(s) if the submitted legal description does not exactly match the parcel boundaries unless the reclassification request includes more than 1 district within the parcel or unless the request is for only a portion of the parcel.</li> <li>4. Prior to submitting any nonconforming amendment, or a conforming amendment for the uses listed below (A-F), the owner or applicant shall engage in a pre-submittal conference with the County to discuss form and filing requirements and preliminary land planning, including but not limited to land use relationships and intensity, density, transportation systems, infrastructure, related capital improvements, and other potential impacts. A pre-submittal conference shall include plans as required pursuant to the Chapter (if applicable) noted and/or as determined by the Zoning Administrator. <ol style="list-style-type: none"> <li>A. uses involving hazardous chemicals, explosives, materials or wastes in amounts regulated by NRS and NAC (determination of pertinent requirements for the proposed use)</li> <li>B. planned unit development (PUD) (see Chapter 30.24)</li> <li>C. mixed use development (see Chapter 30.48 Part J)</li> <li>D. high impact project (see Table 30.16-4 – Special Use Permit)</li> <li>E. neighborhood casinos (see Chapter 30.48 Part E)</li> <li>F. resort hotel</li> </ol> </li> <li>5. Amendments to establish increased density or intensity within any overlay district shall not be accepted unless in compliance with Chapter 30.48.</li> <li>6. Amendments to establish U-V zoning outside the Mixed Use Overlay District (see Appendix G, Map 15a) shall not be accepted prior to approval of the required text amendment application to amend the Overlay boundaries, pursuant to Section 30.48.720.</li> <li>7. Nonconforming zone boundary amendment applications to establish C-1, C-2, or H-1 zoning for a mixed use development within the Mixed Use Overlay District shall not be accepted.</li> <li>8. FAA and other additional requirements and standards are established in 30.16.210.</li> </ol>

<b>Table 30.16-3      ZONE BOUNDARY AMENDMENT - AUTHORITY AND CONSIDERATION TABLE</b> <b>SEE ALSO 30.16.210 for general process information and standards</b>	
<b>c. Document Submittal Requirements</b>	<p><b>1. Pre-submittal Conference Requirements</b> (for nonconforming amendments; uses involving hazardous chemicals, explosives, materials or wastes in amounts regulated by NRS and NAC; planned unit development (see Chapter 30.24); mixed use development (see Chapter 30.48 Part J); neighborhood casinos (see Chapter 30.48 Part E); resort hotels, and high impact projects (<i>see Table 30.16-4</i>) only):</p> <p>Pre-submittal form                      20 site plans                      20 project descriptions  20 elevations                      20 floor plans  20 landscape plans                      2 assessor's maps  20 compelling justification letters (copies) (<i>nonconforming amendments only</i>)</p> <p><b>2. Conforming and Nonconforming Amendments:</b>  Application form                      Disclosure form  5 site plans (conforming only)  3 justification letters (conforming only)  2 elevations                      2 landscape plans  2 assessor's maps                      2 legal descriptions  2 floor plans                      2 zone boundary maps/legals  2 deeds                      Parking analysis  Fire permit survey form  Photos of adjacent development (For amendments to CP or CRT districts and for nonconforming amendments)  2 grading plans if hillside development (see Chapter 30.56, Part C)  List and quantities of hazardous materials only if applicable (See Clark County Fire Department <i>Hazardous Materials Systems Guideline</i>, NRS, and NAC)  Written evidence of prior submittal to FAA of Form 7460-1, Notification of Proposed Construction, pursuant to Section 30.16.210(4)(F), if applicable  For mixed use developments within the Mixed Use Overlay District, concurrent submittal of design review and (if applicable) special use permit applications, and 4 copies of the Educational Services Report per 30.16.240(a)(16)(H)  2 Records of survey for projects with Las Vegas Boulevard frontage  Residential Impact Statement for Manufactured Home Park Closures</p> <p><b>3. Additional Requirements for Nonconforming Amendments:</b>  3 RISE reports                      20 project descriptions  20 site plans                      20 compelling justification letters  2 neighborhood meeting reports (see Subsection (f)(iii) below)  1 pre-submittal conference summary  (See Section 30.16.240 for FAA and additional document submittal requirements)</p>
<b>d. Base Fee</b>	<p><b>1. Conforming Amendments:</b>      \$900, plus \$500 for pre-submittal conference if applicable</p> <p><b>2. Nonconforming Amendments:</b> \$500 for pre-submittal conference, and \$1,150 plus \$50 per acre with application</p> <p><b>3. Add \$200 if within a major project</b>  (See Chapter 30.80 Fees)</p>

<b>Table 30.16-3      ZONE BOUNDARY AMENDMENT - AUTHORITY AND CONSIDERATION TABLE</b> <b>SEE ALSO 30.16.210 for general process information and standards</b>	
<b>e. Application Process</b>	<ol style="list-style-type: none"> <li>1. Conforming Amendment: Public hearing before the Board per 30.16.210 (and pre-submittal conference for uses involving hazardous chemicals, explosives, materials or wastes in amounts regulated by NRS and NAC; planned unit development; mixed use development; and projects of regional significance).</li> <li>2. Nonconforming Amendment: <ol style="list-style-type: none"> <li>A. Public Hearings before the Commission and Board per Section 30.16.210</li> <li>B. Nonconforming amendments within the urban area except Laughlin, or within Moapa Valley, shall be considered for each planning area not more than once per calendar quarter. Urban Town Board/Citizens Advisory Council area boundaries which include properties that fall outside the urban area (as defined in 30.08) shall be considered as located within the urban area for the purpose of processing nonconforming zone boundary amendments</li> <li>C. A pre-submittal conference is required prior to scheduling of neighborhood meeting</li> <li>D. At least one neighborhood meeting with property owners within a 1,500 foot radius of the project is required prior to the Town Board meeting. The applicant shall perform the following: <ol style="list-style-type: none"> <li>i. send a notice to all property owners and manufactured home tenants within the 1,500 foot project radius (or the nearest 30 separately-owned parcels) and the town advisory Board of the date, time, and location of the neighborhood meeting at least 10 days prior to that meeting;</li> <li>ii. conduct the neighborhood meeting; and</li> <li>iii. document to the Zoning Administrator the notification of property owners provided and the status of neighborhood concerns. The meetings shall be scheduled in the evening hours and located in the same area as the proposal</li> </ol> </li> <li>E. A presentation to the Town Board is required</li> <li>F. In addition and if necessary, the applicant shall coordinate with service providers and local government entities to address issues identified in the required impact analyses and reports and to ensure the proposal will not adversely affect existing and future infrastructure plans</li> </ol> </li> </ol>
<b>f. Notice Requirements</b>	<ol style="list-style-type: none"> <li>1. Conforming Amendment: posted notice, entity notice, city notice, newspaper notice, 1,000 foot radius notice, and signs; plus any local government whose boundary is within 1/2 mile (2,640') for a project of regional significance.</li> <li>2. Nonconforming Amendment: posted notice, entity notice, city notice, newspaper notice, 1,500 foot radius notice, and signs; plus any local government whose boundary is within 1/2 mile (2,640') for a project of regional significance. (See Section 30.16.230 Notice)</li> </ol>
<b>g. Recommending Entities</b>	Government Entities and Town Board; plus Cities for project of regional significance and Commission for zone boundary amendment processed as a nonconforming amendment.
<b>h. Approval Authority</b>	Board.
<b>i. Appeal Authority</b>	No administrative appeal.
<b>j. Standards For Approval</b>	<ol style="list-style-type: none"> <li>1. Requests for amendments are subject to the discretion of the Board in consideration of the Plan. The Board may approve a request as submitted, or may reduce a request to a more restrictive district, within the same zoning district category. To change zoning district category, it must be held and renotified prior to final action by the Board.</li> <li>2. Good cause shall be shown if the Board approves a density of over 2 dwelling units per acre within 330 feet of an RNP-I or RNP-II district; 4 dwelling units per acre within 330 feet of an RNP-III district; or a non-residential use within 330 feet of an RNP-I, RNP-II, or RNP-III district.</li> <li>3. If the allowable density or intensity of use is sought to be decreased, and at least 20% of the owners within the notification radius object to the change, the Board shall consider the merits of the objections and shall make a written finding that the public interest and necessity will be promoted by the change.</li> <li>4. For a nonconforming zone boundary amendment, the applicant shall provide compelling justification that approval of the nonconforming zoning is appropriate. The Board may consider the cumulative impacts of nonconforming zone boundary amendments within the planning area. (See Section 30.08.030, Compelling Justification)</li> <li>5. FAA and other additional requirements and standards are established in 30.16.210.</li> </ol>

**Table 30.16-3      ZONE BOUNDARY AMENDMENT - AUTHORITY AND CONSIDERATION TABLE**  
**SEE ALSO 30.16.210 for general process information and standards**

<b>k. Application Expiration</b>	<ol style="list-style-type: none"> <li>1. Conforming Amendment. No time limit unless the Board deems that a resolution of intent is necessary. Upon approval, an ordinance to finalize the zoning and amend the Official Zoning Map, shall be prepared and introduced for consideration by the Board.</li> <li>2. Nonconforming Amendment. Time limit of 3 years for completion unless an alternative time limit is set by the Board. Upon approval, the property owner shall execute a resolution of intent to reclassify the property.</li> <li>3. Superseded Applications. Action on an amendment that has not been ordinances is void with the approval of a subsequent amendment.</li> </ol>
<b>l. Resolutions of Intent</b>	<ol style="list-style-type: none"> <li>1. A resolution of intent to reclassify shall include any conditions, stipulations or limitations which the Board may deem necessary and require in the public interest as a prerequisite to final action on a request for an amendment to a zoning district boundary.</li> <li>2. The fulfillment of all conditions, stipulations and limitations contained in any such resolution shall make the resolution a binding commitment on the part of the Board.</li> <li>3. A resolution of intent is entered into for the benefit of the public and not for the benefit of any private individual or entity.</li> <li>4. Upon completion of all conditions contained in the resolution the Board shall authorize an amendment to a zoning district boundary or a zoning district reclassification by the adoption of an ordinance amending the Official Zoning Map. If a subdivision map is recorded for a portion of the zone boundary amendment, an ordinance to reclassify the property may be approved by the Board only for that portion included in the map.</li> </ol>

(Ord. 3955 § 2 (part), 6/2011; Ord. 3848 § 3 (part), 2/2010; Ord. 3805 § 2 (part), 9/2009; Ord. 3757 § 2 (part), 4/2009; Ord. 3720 § 2 (part), 12/2008; Ord. 3688 § 3 (part), 10/2008; Ord. 3586 § 3 (part), 2/2008; Ord. 3564 § 1, 12/2007; Ord. 3549 § 3(part), 9/2007; Ord. 3520 § 2 (part), 6/2007; Ord. 3499 § 1 (part), 3/2007; Ord. 3472 § 3 (part), 1/2007; Ord. 3432 § 2 (part), 10/2006; Ord. 3357 § 2 (part), 3/2006; Ord. 3355 § 2 (part), 2/2006; Ord. 3354 § 2 (part), 2/2006; Ord. 3296 § 3 (part), 10/2005; Ord. 3229 § 3 (part), 6/2005; Ord. 3219 § 2 (part), 5/2005; Ord. 3209 § 4 (part), 3/2005; Ord. 3174 § 2 (part), 1/2005; Ord. 3163 § 1, 12/2004; Ord. 3160 § 4 (part), 11/2004; Ord. 3106 § 2 (part), 8/2004; Ord. 3055 § 2 (part), 4/2004; Ord. 2988 § 1, 12/2003; Ord. 2970 § 2 (part), 11/2003;)

**30.16.070 Special Use Permits.** Applications for special use permits shall be processed per Table 30.16-4. **NOTE:** **ADDITIONAL REQUIREMENTS ARE ESTABLISHED IN SECTIONS 30.16.210 AND 30.16.240.**

<b>Table 30.16-4 SPECIAL USE PERMIT - AUTHORITY AND CONSIDERATION TABLE</b> <b>SEE ALSO 30.16.210 for general process information and standards</b>	
<b>a. Initiating Authority</b>	Board, public utility, property owner or leaseholder
<b>b. Standards for Acceptance</b>	<ol style="list-style-type: none"> <li>1. Applications to expand the Gaming Enterprise District shall not be accepted unless in compliance with Chapter 30.48, Part E.</li> <li>2. Applications for a special use, or for increased density, intensity, or height within any overlay district are also subject to the additional requirements and restrictions established in Chapter 30.48. (see respective Part).</li> <li>3. Applications for the following (A-F) shall not be accepted prior to a pre-submittal conference which shall include plans as required pursuant to the Chapter (if applicable) noted and/or as determined by the Zoning Administrator: <ol style="list-style-type: none"> <li>A. uses involving hazardous chemicals, explosives, materials or wastes in amounts regulated by NRS and NAC (determination of pertinent requirements for the proposed use)</li> <li>B. planned unit development (PUD) (see Chapter 30.24)</li> <li>C. mixed use development (see Chapter 30.48 Part J)</li> <li>D. high impact project</li> <li>E. neighborhood casinos</li> <li>F. resort hotel</li> </ol> </li> <li>4. FAA and other additional requirements and standards are established in 30.16.210.</li> <li>5. Applications to establish package wastewater treatment plants shall demonstrate compliance with Clark County Code, Chapter 24.28, prior to submittal and acceptance.</li> <li>6. Applications to establish supportive housing shall not be accepted without written verification from a competent professional that the project complies with all applicable HUD requirements for supportive housing.</li> <li>7. High impact projects: submit initial RISE (regional infrastructure and service evaluation) reports with the pre-submittal filing package. Applicant cannot submit the special use permit until receipt of a letter from the Director of Comprehensive Planning accepting the final RISE reports as sufficient for consideration by the Board of County Commissioners.</li> </ol>



<b>Table 30.16-4 SPECIAL USE PERMIT - AUTHORITY AND CONSIDERATION TABLE</b> <b>SEE ALSO 30.16.210 for general process information and standards</b>	
<b>c. Document Submittal Requirements</b>	<p><b>1. Pre-submittal Conference Requirements</b> (for uses involving hazardous chemicals, explosives, materials or wastes in amounts regulated by NRS and NAC; planned unit development (see Chapter 30.24); mixed use development (see Chapter 30.48 Part J); neighborhood casinos (see Chapter 30.48 Part E); resort hotel and high impact projects only):</p> <p>Pre-submittal form                      20 site plans                      20 project descriptions  20 elevations                      20 floor plans  2 landscape plans                      2 assessor's maps  List and quantities of hazardous materials only (See Clark County Fire Department <i>Hazardous Materials Systems Guideline</i>, NRS and NAC)</p> <p><b>High impact projects only:</b>  Proof of traffic impact analysis submittal. (Minimum of 30 days prior to formal submittal)  2 vicinity maps  3 initial RISE reports</p> <p><b>2. All Other Application Submittals:</b></p> <p>Application form                      5 site plans  2 floor plans                      2 elevations  2 landscape plans                      2 deeds  3 justification letters                      Parking analysis  2 assessor's maps                      2 legal descriptions  Disclosure form                      Fire permit survey form  4 locator maps for expansion of the Gaming Enterprise District only  Traffic Impact analysis for expansion of the Gaming Enterprise District, high impact projects, resort hotels and neighborhood casinos submitted to the Department of Development Services 30 days prior to submission of application (see Chapter 30.48, Part E)  2 grading plans if hillside development (see Chapter 30.56, Part C)  List and quantities of hazardous materials only (See Clark County Fire Department <i>Hazardous Materials Systems Guideline</i>, NRS, and NAC)  Written evidence of prior submittal to FAA of Form 7460-1, Notification of Proposed Construction, pursuant to Section 30.16.210(4)(F), if applicable  Written verification from a competent professional that the project complies with all applicable HUD requirements for supportive housing, if applicable  2 Records of survey for projects with Las Vegas Boulevard frontage  (See Section 30.16.240 for FAA and additional document submittal requirements)  Residential Impact Statement for Manufactured Home Park Closures</p> <p><b>High impact projects only:</b>  RISE Report Acceptance Letter  3 final RISE reports</p>
<b>d. Base Fee</b>	<p>\$325 - except as required below, plus sign fee if applicable  \$450 - project of regional significance  \$850 – high impact projects  \$850 - alcohol as a principal use when not located within a Gaming Enterprise District  \$850 - mixed use developments in any permitted district  \$1,050 - hazardous materials  \$10,000 - expansion of Gaming Enterprise District  Add \$200 - if within a major project  Add \$500 - pre-submittal conference fee if applicable</p>

<b>Table 30.16-4 SPECIAL USE PERMIT - AUTHORITY AND CONSIDERATION TABLE</b> <b>SEE ALSO 30.16.210 for general process information and standards</b>	
<b>e. Application Process</b>	<ol style="list-style-type: none"> <li>1. Pre-submittal conferences required for uses involving hazardous chemicals, explosives, materials or wastes, in amounts regulated by NRS and NAC; planned unit development; mixed use development; high impact projects; and neighborhood casinos.</li> <li>2. For an expansion of the Gaming Enterprise District, a court reporter shall record the hearing in accordance with NRS Chapters 463 and 656.</li> <li>3. To establish a neighborhood casino, at least 1 neighborhood meeting with property owners within a 2,500 foot radius (or the nearest 30 separately owned parcels) of a project shall be required prior to the Town Board meeting. The applicant shall perform the following: <ol style="list-style-type: none"> <li>i. Send a notice to all property owners, manufactured home tenant and the Town Board with the date, time, and location of the neighborhood meeting at least 10 days prior to that meeting;</li> <li>ii. Conduct a neighborhood meeting; and</li> <li>iii. Document the notification of property owners and status of neighborhood concerns to the Zoning Administrator.</li> <li>iv. All neighborhood meetings shall be scheduled in the evening hours and located in the same area as the proposal.</li> </ol> </li> <li>4. For high impact projects and resort hotel the applicant shall separately submit a traffic impact analysis to the Department of Development Services prior to the pre-submittal conference. After RISE report and other related document distribution to related agencies, a pre-submittal conference will be scheduled within 30 days of filing, to discuss the project as well as any potential infrastructure and services required to mitigate impacts of the project. Upon RISE report finalization, the Director of Comprehensive Planning will issue an acceptance letter and the applicant may submit a special use permit application, and follow the procedure below.</li> <li>5. All applications require a Public Hearing per Section 30.16.210.</li> </ol>
<b>f. Notice Requirements</b>	<ol style="list-style-type: none"> <li>1. Project of Regional Significance: Posted notice, entity notice, city notice, 750 foot radius notice and any local government whose boundary is within 1/2 mile (2640'). High Impact Project: Posted notice, entity notice, city notice, 1,500 foot radius notice and any local government whose boundary is within 1/2 mile (2,640').</li> <li>2. Gaming Enterprise District Expansion: Posted notice, entity notice, city notice, 2,500 foot radius notice, and signs. <ol style="list-style-type: none"> <li>A. To establish a neighborhood casino, the applicant shall advertise the project in a newspaper of general circulation within the County, minimum 1/8 of page, substantially concurrent with the time public hearing notices are sent. Content of advertising is left to applicant, but must be approved by staff.</li> </ol> </li> <li>3. Explosives, Hazardous Materials or Waste in amounts regulated by NRS and NAC: Posted notice, entity notice, city notice, newspaper notice, 1,000 foot radius notice (including multiple family tenants), and signs. Notice must also be sent to the entities listed in Section 278.147 of NRS. The same notice must be provided for hearings before both the Commission and Board.</li> <li>4. Mixed Use Development in any permitted districts or Alcohol as a principal use outside a gaming enterprise district: Posted notice, entity notice, city notice, 1,500 foot radius notice, and signs.</li> <li>5. <i>All Others</i>: Posted notice, entity notice, city notice, and 500 foot radius notice.</li> <li>6. Notice for applications to redevelop a manufactured home park to a different use shall include signs per 30.16.230(8)(E)(iv). (See Section 30.16.230 Notice)</li> </ol>
<b>g. Recommending Entities</b>	<p>Government Entities and Town Board, plus Cities for a project of regional significance, and Commission for mixed use developments nonconforming to Section 30.48.770 whose recommendation shall be forwarded to the Board</p> <p>For Explosives, Hazardous Materials or Waste: entities listed under Section 278.147 of NRS</p>

**Table 30.16-4 SPECIAL USE PERMIT - AUTHORITY AND CONSIDERATION TABLE****SEE ALSO 30.16.210 for general process information and standards**

<b>h. Approval Authority</b>	<p>Commission; except the recommendation of the Commission shall be forwarded to the Board for the following applications to:</p> <ol style="list-style-type: none"> <li>1. expand the Gaming Enterprise District</li> <li>2. establish a facility for Explosives, Hazardous Materials or Waste in amounts regulated by NRS and NAC and as required pursuant to NRS 278.147</li> <li>3. establish a heliport</li> <li>4. modify evaluative criteria for mixed use development in the C-1, C-2, U-V, and H-1 districts pursuant to Section 30.48.730</li> <li>5. redeveloping manufactured home parks to a different use</li> </ol> <p>Board for the following:</p> <ol style="list-style-type: none"> <li>1. submitted in conjunction with, or in lieu of, another application that requires Board approval</li> <li>2. project of regional significance</li> <li>3. mixed use development pursuant to Section 30.48.730(2)</li> <li>4. high impact project</li> <li>5. waivers for check cashing conditions</li> <li>6. increase in number of allowed dogs or cats (see 30.44-1 Household Pets)</li> <li>7. projects within the SOSA Design Overlay District (see Chapter 30.48 Part M)</li> </ol>
<b>i. Appeal Authority</b>	Board
<b>j. Standards for Approval</b>	<ol style="list-style-type: none"> <li>1. Special uses shall not be permitted by right, but shall be considered on a case by case basis for the proposed lot(s) or parcel(s). Applications are subject to the discretion of the Commission and/or Board in consideration of the Plan in accordance with Chapter 30.12.</li> <li>2. No application shall be approved unless the applicant establishes that the use is appropriate at the proposed location by showing the following: <ol style="list-style-type: none"> <li>A. The proposed use shall be in harmony with the purpose, goals, objectives and standards of the Plan and of this Title;</li> <li>B. The proposed use shall not result in a substantial or undue adverse effect on adjacent properties, character of the neighborhood, traffic conditions, parking, public improvements, public sites or rights-of-way, or other matters affecting the public health, safety, and general welfare; and</li> <li>C. The proposed use will be adequately served by public improvements, facilities, and services and will not impose an undue burden</li> </ol> </li> <li>3. Applications for high impact projects and projects approved through a nonconforming zone boundary amendment shall demonstrate with clear and convincing evidence that any proposed modification to required design and development standards, including reductions to landscaping, screening and buffering requirements, will not adversely impact neighboring properties.</li> <li>4. Expansions to the gaming enterprise district shall demonstrate that: <ol style="list-style-type: none"> <li>A. The roads, water, sanitation, utilities and related services to the location are adequate;</li> <li>B. The proposed establishment will not unduly impact public services, consumption of natural resources and the quality of life enjoyed by residents of the surrounding neighborhoods;</li> <li>C. The proposed establishment will enhance, expand and stabilize employment and the local economy;</li> <li>D. The proposed establishment will be located in an area planned or zoned for that purpose pursuant to NRS 278.010 to 278.630, inclusive;</li> <li>E. The proposed establishment will not be detrimental to the health, safety or general welfare of the community or be incompatible with the surrounding area; and</li> <li>F. All traffic impacts can be adequately mitigated.</li> </ol> </li> <li>5. A majority vote of 3/4 of the Board's members present at the meeting shall be required to approve an expansion of the Gaming Enterprise District.</li> <li>6. FAA and other additional requirements and standards are established in 30.16.210.</li> </ol>
<b>k. Conditions of Approval</b>	<p>High impact projects may cause substantial effects to infrastructure and services. The Board may impose reasonable conditions that are related and roughly proportional to the proposed use of the property, and consistent with the intent of this Title, therefore, a development agreement may be proposed.</p> <ol style="list-style-type: none"> <li>A. Units or other improvements demolished and replaced with a like use will not be included in determining project impacts for purposes of the development agreement</li> <li>B. A development agreement will ensure provision of necessary improvements to mitigate impacts and adequately serve the proposed development (See also 30.16.210(11)(F))</li> </ol>
<b>l. Application Expiration</b>	2 years to commence except when approved in conjunction with a zone boundary amendment

(Ord. 3955 § 2 (part), 6/2011; Ord. 3924 § 3 (part), 1/2011; Ord. 3848 § 3 (part), 2/2010; Ord. 3771 § 3, 6/2009; Ord. 3720 § 2 (part), 12/2008; Ord. 3659 § 1(part), 6/2008; Ord. 3635 § 3(part), 6/2008; Ord. 3549 § 3(part), 9/2007; Ord. 3520 § 2 (part), 6/2007; Ord. 3499 § 1 (part), 3/2007; Ord. 3432 § 2 (part), 10/2006; Ord. 3397 § 2 (part), 6/2006; Ord. 3357 § 2 (part), 3/2006; Ord. 3355 § 2 (part), 2/2006; Ord. 3354 § 2 (part), 2/2006; Ord. 3296 § 3 (part), 10/2005; Ord. 3229 § 3 (part), 6/2005; Ord. 3219 § 2 (part), 5/2005; Ord. 3209 § 4 (part), 3/2005; Ord. 3174 § 2 (part), 1/2005; Ord. 3113 § 2 (part), 8/2004; Ord. 3078 § 1 (part), 6/2004; Ord. 3055 § 2 (part), 4/2004; Ord. 3008 § 1 (part), 12/2003; Ord. 2988 § 1, 12/2003; Ord. 2981 § 2 (part) 11/2003; Ord. 2970 § 2 (part), 11/2003)

Printed

Chapter 30.16: Land Use Application Processing

June 6, 2011

**30.16.080 Administrative Temporary Use.** Applications for an administrative temporary use shall be processed per Table 30.16-5.

<b>Table 30.16-5 ADMINISTRATIVE TEMPORARY USE - AUTHORITY AND CONSIDERATION TABLE</b> <b>SEE ALSO 30.16.210 for general process information and standards</b>	
<b>a. Initiating Authority</b>	Board, public utility, property owner or leaseholder
<b>b. Standards for Acceptance</b>	Applications shall only be accepted when expressly permitted under Tables 30.44-1 or 30.72-3.
<b>c. Document Submittal Requirements</b>	Application form Justification letter (See Section 30.16.240 Document Submittal Requirements)
<b>d. Fee</b>	\$100
<b>e. Processing Time</b>	5 working days
<b>f. Application Process</b>	Administrative review per 30.16.210
<b>g. Notice Requirements</b>	None
<b>h. Recommending Entities</b>	Government Entities
<b>i. Approval Authority</b>	Zoning Administrator
<b>j. Appeal Authority</b>	A person may appeal the decision by submitting a special use permit application per Table 30.16-4.
<b>k. Standards for Approval</b>	No administrative temporary use shall be approved unless the applicant demonstrates that the proposed temporary use is appropriate for its proposed location during the proposed period
<b>l. Finality of Decision</b>	Final and effective the date of action on the application

(Ord. 3924 § 3 (part), 1/2011; Ord.3848 § 3 (part), 2/2010; Ord. 3549 § 3(part), 9/2007; Ord. 2970 § 2 (part), 11/2003)

**30.16.090 Variances.** Applications for variances shall be processed per Table 30.16-6. **NOTE: ADDITIONAL REQUIREMENTS ARE ESTABLISHED IN SECTIONS 30.16.210 AND 30.16.240.**

Table 30.16-6 VARIANCE - AUTHORITY AND CONSIDERATION TABLE SEE ALSO 30.16.210 for general process information and standards																									
<b>a. Initiating Authority</b>	Property owner or leaseholder																								
<b>b. Standards for Acceptance</b>	<ol style="list-style-type: none"> <li>1. Applications shall only be accepted for variances to the development standards of this Title</li> <li>2. When a Waiver of Standards application is identified in this Title as an alternative method to seek relief, an applicant must pursue the waiver of standards application (receive decision from the appeal authority) prior to submittal of a variance</li> <li>3. An application for a variance to the following standards is expressly prohibited, including additional standards which may be specified as such in this Title, and cannot be accepted by the Zoning Administrator: <ol style="list-style-type: none"> <li>A. A use of property not expressly authorized by the zoning district regulation governing the property in question, as identified in Chapter 30.44</li> <li>B. Site development standards required with specific uses subject to the requirements of Chapters 30.44 and 30.48</li> <li>C. Airport Environs Overlay District requirements of Chapter 30.48</li> <li>D. Requirements for the expansion of the Gaming Enterprise District of Chapter 30.48</li> <li>E. Sight zone requirements of Chapter 30.56</li> <li>F. Clear visibility for all interior drive aisles per Section 30.60.020</li> <li>G. Mobility impaired parking spaces per 30.60.060</li> <li>H. Restrictions on the size of water features as identified in Section 30.64.060</li> <li>I. Procedural requirements of this Title, including Major Projects, Chapters 30.04, 30.16, 30.20, and 30.28</li> <li>J. Fees as identified in Chapter 30.80</li> <li>K. Parking spaces required per Table 30.60-1</li> <li>L. Residential density restrictions as identified in Chapters 30.40 and 30.48</li> <li>M. Variances to incidental take permits as identified in 30.32.050</li> <li>N. Requirements for uses involving hazardous chemicals, explosives, materials or wastes</li> <li>O. Paving requirements not exempt per 30.60.025</li> <li>P. Reductions to design standards established in 30.24.080</li> <li>Q. Applications to vary or modify zoning base district standards or mixed use requirements, including density and height, for mixed use development in the C-1, C-2, or H-1 districts, except as permitted by Chapter 30.48 Part J</li> </ol> </li> <li>4. FAA and other additional requirements and standards are established in 30.16.210</li> </ol>																								
<b>c. Document Submittal Requirements</b>	<table border="0"> <tr> <td>Application form</td><td>5 site plans</td></tr> <tr> <td>2 floor plans</td><td>2 elevations</td></tr> <tr> <td>2 landscape plans</td><td>Parking analysis</td></tr> <tr> <td>2 assessor's maps</td><td>2 deeds</td></tr> <tr> <td>3 justification letters</td><td>2 legal descriptions</td></tr> <tr> <td>Disclosure form</td><td>Fire permit survey form</td></tr> <tr> <td>2 grading plans if hillside development (see Chapter 30.56, Part C)</td><td></td></tr> <tr> <td>List and quantities of hazardous materials only if applicable (See Clark County Fire Department <i>Hazardous Materials Systems Guideline</i>, NRS, and NAC)</td><td></td></tr> <tr> <td>Written evidence of prior submittal to FAA of Form 7460-1, Notification of Proposed Construction, pursuant to Section 30.16.210(4)(F), if applicable</td><td></td></tr> <tr> <td>2 Records of survey for projects with Las Vegas Boulevard frontage</td><td></td></tr> <tr> <td>Residential Impact Statement for Manufactured Home Park Closures</td><td></td></tr> <tr> <td>(See Section 30.16.240 for FAA and additional document submittal requirements)</td><td></td></tr> </table>	Application form	5 site plans	2 floor plans	2 elevations	2 landscape plans	Parking analysis	2 assessor's maps	2 deeds	3 justification letters	2 legal descriptions	Disclosure form	Fire permit survey form	2 grading plans if hillside development (see Chapter 30.56, Part C)		List and quantities of hazardous materials only if applicable (See Clark County Fire Department <i>Hazardous Materials Systems Guideline</i> , NRS, and NAC)		Written evidence of prior submittal to FAA of Form 7460-1, Notification of Proposed Construction, pursuant to Section 30.16.210(4)(F), if applicable		2 Records of survey for projects with Las Vegas Boulevard frontage		Residential Impact Statement for Manufactured Home Park Closures		(See Section 30.16.240 for FAA and additional document submittal requirements)	
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(See Section 30.16.240 for FAA and additional document submittal requirements)																									
<b>d. Base Fees</b>	<p>\$250 if the deviation is less than 30% of the development standard</p> <p>\$325, plus additional notice fee if required</p> <p>\$450 for high impact project or project of regional significance</p> <p>Add \$200 if within a major project</p> <p>(See Chapter 30.80 Fees)</p>																								
<b>e. Application Process</b>	Public hearing per 30.16.210																								

<b>Table 30.16-6 VARIANCE - AUTHORITY AND CONSIDERATION TABLE</b> <i>SEE ALSO 30.16.210 for general process information and standards</i>	
<b>f. Notice Requirements</b>	<ol style="list-style-type: none"> <li>1. If the deviation is less than 30% of the development standard, entity notice, city notice, 100 foot radius notice</li> <li>2. Project of regional significance: Posted notice, entity notice, city notice, 750 foot radius notice, and any local government whose boundary is within 1/2 mile (2,640')</li> <li>3. Mixed use development: Posted notice, entity notice, city notice, and 1,500 foot radius notice</li> <li>4. All others: Posted notice, entity notice, city notice, 500 foot radius (See 30.16.230 Notice)</li> </ol>
<b>g. Recommending Entities</b>	Government Entities and Town Board.
<b>h. Approval Authority</b>	<p>Commission, except for requests to reduce the required separation for large scale retail businesses, which shall be forwarded to the Board</p> <p>Board for the following:</p> <ol style="list-style-type: none"> <li>1. application submitted in conjunction with, or in lieu of, another application that requires Board approval</li> <li>2. variances to the CMA Area Design Overlay District standards</li> <li>3. applications for a project of regional significance</li> <li>4. projects within the SOSA Design Overlay District (see Chapter 30.48 Part M)</li> </ol>
<b>i. Appeal Authority</b>	Board
<b>j. Application Expiration</b>	Two years to commence from the date of approval, except when approved in conjunction with a zone boundary amendment
<b>k. Standards for Approval</b>	<ol style="list-style-type: none"> <li>1. In cases where there are special circumstances or conditions peculiar to the property or building by reason of exceptional narrowness, shallowness, shape or topographic condition of a specific piece of property, or by reason of other extraordinary or exceptional situation, where the strict application of the regulations of this Title would result in peculiar and exceptional practical difficulties to the development of the property, an applicant may request a variance and shall have the burden of proof to establish that the proposed variance is appropriate for its proposed location. The Commission or Board shall take into consideration the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or County by such grant. In making such determination the Commission or Board shall also consider: <ol style="list-style-type: none"> <li>A. Whether an undesirable change will be produced in the character of the neighborhood, or a detriment to nearby properties will be created by the granting of the variance</li> <li>B. Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than a variance</li> <li>C. Whether the requested variance is substantial</li> <li>D. Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district</li> <li>E. Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Commission or Board, but shall not necessarily preclude the granting of the variance</li> </ol> </li> <li>2. Applications for projects of regional significance and projects approved through a nonconforming zone boundary amendment shall demonstrate with clear and convincing evidence that any proposed modification to required design and development standards, including reductions to landscaping, screening, and buffering requirements will not adversely impact neighboring properties</li> <li>3. If the Commission or Board determines that the granting of a variance is appropriate in accordance within Subsection 1 above, the Commission or Board shall grant the minimum variance that it shall deem necessary and adequate in order to preserve and protect the character of, and minimize any adverse impacts on the neighborhood and the health, safety, and welfare of the County. The Commission or Board may impose reasonable conditions and restrictions which are directly related and incidental to the proposed use of the property, and are consistent with the intent of this Title</li> <li>4. FAA and other additional requirements and standards are established in 30.16.210</li> </ol>

(Ord. 3955 § 2 (part), 6/2011; Ord. 3848 § 3 (part), 2/2010; Ord. 3720 § 2 (part), 12/2008; Ord. 3688 § 3 (part), 10/2008; Ord. 3549 § 3(part), 9/2007; Ord. 3520 § 2 (part), 6/2007; Ord. 3499 § 1 (part), 3/2007; Ord. 3357 § 2 (part), 3/2006; Ord. 3354 § 2 (part), 2/2006; Ord. 3296 § 3 (part), 10/2005; Ord. 3219 § 2 (part), 5/2005; Ord. 3209 § 4 (part), 3/2005; Ord. 3078 § 1 (part), 6/2004; Ord. 3062 § 2 (part), 5/2004; Ord. 3055 § 2 (part), 4/2004; Ord. 3021 § 1, 2/2004; Ord. 2981 § 2 (part), 11/2003; Ord. 2970 § 2 (part), 11/2003)

**30.16.100 Waiver of Development Standards.** Applications for waivers of development standards shall only be processed per Table 30.16-7. **NOTE: ADDITIONAL REQUIREMENTS ARE ESTABLISHED IN SECTIONS 30.16.210 AND 30.16.240.**

<b>Table 30.16-7 WAIVER OF DEVELOPMENT STANDARDS - AUTHORITY AND CONSIDERATION TABLE</b> <b>SEE ALSO 30.16.210 for general process information and standards</b>	
<b>a. Initiating Authority</b>	Property owner or leaseholder
<b>b. Standards for Acceptance</b>	<p>Applications shall only be accepted for waivers to allow the substitution of alternative development standards for those contained within this Title, or to waive a standard, unless specifically prohibited by any provision of this Title</p> <ol style="list-style-type: none"> <li>1. Applications to waive or modify zoning base district standards or mixed use requirements, including density and height, for mixed use development in the C-1, C-2, or H-1 districts, except as permitted by Chapter 30.48 Part J, shall not be accepted</li> <li>2. FAA and other additional requirements and standards are established in 30.16.210</li> </ol>
<b>c. Document Submittal Requirements</b>	<p>Application form 2 floor plans 2 landscape plans 2 deeds Parking analysis Disclosure form 2 grading plans if hillside development (see Chapter 30.56, Part C) List and quantities of hazardous materials only if applicable (See Clark County Fire Department <i>Hazardous Materials Systems Guideline</i>, NRS, and NAC) Written evidence of prior submittal to FAA of Form 7460-1, Notification of Proposed Construction, pursuant to Section 30.16.210(4)(F), if applicable 2 Records of survey for projects with Las Vegas Boulevard frontage Residential Impact Statement for Manufactured Home Park Closures (See Section 30.16.240 for FAA and additional document submittal requirements)</p> <p>5 site plans 2 elevations 2 assessor's maps 2 legal descriptions 3 justification letters Fire permit survey form</p>
<b>d. Base Fee</b>	<p>\$225 for waivers to development standards listed in 30.52.120 (except paving waivers) \$250 for deviation less than 30% of the development standard \$325 (including paving waivers listed in 30.52.120) plus additional notice fee if required \$450 for high impact project or project of regional significance Add \$200 if within a major project (See Chapter 30.80 Fees)</p>
<b>e. Application Process</b>	Public hearing per 30.16.210 unless specified in this Title that the hearing is not required to be a public hearing
<b>f. Notice Requirements</b>	<ol style="list-style-type: none"> <li>1. For waivers of development standards listed in 30.52.120 (except paving waivers): Posted notice, entity notice, city notice</li> <li>2. For deviation less than 30% of the development standard: Posted notice, entity notice, city notice, 100 foot radius notice</li> <li>3. Project of regional significance: Posted notice, entity notice, city notice, seven 750 foot radius notice and any local government whose boundary is within 1/2 mile (2,640')</li> <li>4. Mixed Use Development: Posted notice, entity notice, city notice, and 1,500 foot radius notice</li> <li>5. All others (including paving waivers): Posted notice, entity notice, city notice, and 500 foot radius (See Section 30.16.230 Notice)</li> </ol>
<b>g. Recommending Entities</b>	Government Entities and Town Board; Commission for projects of regional significance; Department of Air Quality and Environmental Management for waivers of on-site paving requirements

<b>Table 30.16-7 WAIVER OF DEVELOPMENT STANDARDS - AUTHORITY AND CONSIDERATION TABLE</b> <b>SEE ALSO 30.16.210 for general process information and standards</b>	
<b>h. Approval Authority</b>	Commission, except for requests to reduce the required separation for large scale retail businesses, which shall be forwarded to the Board Board for the following: <ol style="list-style-type: none"> <li>1. application submitted in conjunction with, or in lieu of, another application that requires Board approval</li> <li>2. waivers to the CMA Area Design Overlay District standards</li> <li>3. applications for a project of regional significance</li> <li>4. applications to modify the requirements for mixed use development as permitted by Chapter 30.48 Part J</li> <li>5. waivers for paving in the right-of-way (See 30.52.120 (c)(1))</li> <li>6. waivers for check cashing conditions</li> <li>7. waivers to appeal a denial of extension of time for bond per 30.52.090</li> <li>8. projects within the SOSA Design Overlay District (see Chapter 30.48 Part M)</li> </ol>
<b>i. Appeal Authority</b>	Board
<b>j. Application Expiration</b>	Two years to commence except when approved in conjunction with a zone boundary amendment
<b>k. Standards for Approval</b>	<ol style="list-style-type: none"> <li>1. The applicant for a waiver of development standards shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following: <ol style="list-style-type: none"> <li>A. The use and value of the area adjacent to the property included in the waiver request will not be affected in a substantially adverse manner;</li> <li>B. The proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate neighborhood, and will not be materially detrimental to the public welfare;</li> <li>C. The granting of such application shall be in harmony with the general purpose, goals, objectives and standards of the Plan and of this Title, and;</li> <li>D. The proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities or services</li> </ol> </li> <li>2. Applicants for a waiver of standards shall further respond to additional standards as specified within the various chapters of this Title</li> <li>3. Applications for projects of regional significance and projects approved through a nonconforming zone boundary amendment shall demonstrate with clear and convincing evidence that any proposed modification to required design and development standards, including reductions to landscaping, screening, and buffering requirements will not adversely impact neighboring properties</li> <li>4. A waiver of off-site improvement standards constitutes a temporary postponement only and shall only be approved subject to signing deed restrictions for future improvements</li> <li>5. FAA and other additional requirements and standards are established in 30.16.210</li> </ol>

(Ord. 3955 § 2 (part), 6/2011; Ord. 3924 § 3 (part), 1/2011; Ord. 3848 § 3 (part), 2/2010; Ord. 3720 § 2 (part), 12/2008; Ord. 3688 § 3 (part), 10/2008; Ord. 3659 § 1(part), 6/2008; Ord. 3549 § 3(part), 9/2007; Ord. 3520 § 2 (part), 6/2007; Ord. 3518 § 4 (part), 5/2007; Ord. 3499 § 1 (part), 3/2007; Ord. 3432 § 2 (part), 10/2006; Ord. 3357 § 2 (part), 3/2006; Ord. 3354 § 2 (part), 2/2006; Ord. 3296 § 3 (part), 10/2005; Ord. 3219 § 2 (part), 5/2005; Ord. 3209 § 4 (part), 3/2005; Ord. 3113 § 2 (part), 8/2004; Ord. 3062 § 2 (part), 5/2004; Ord. 3008 § 1 (part), 12/2003; Ord. 2981 § 2 (part), 11/2003; Ord. 2970 § 2 (part), 11/2003)



**30.16.110 Administrative Minor Deviations.** Applications for minor deviations shall be processed per Table 30.16-8.

Table 30.16-8 ADMINISTRATIVE MINOR DEVIATIONS - AUTHORITY AND CONSIDERATION TABLE SEE ALSO 30.16.210 for general process information and standards		
a. Initiating Authority	Property owner, leaseholder	
b. Standards for Acceptance	Applications shall only be accepted for administrative minor deviations as specified in this Title. Applications may be processed to allow deviations up to 10% of the standards to allow for a construction error (even when this Title prevents the filing of deviations or waivers of development standards), only if the approved building permit plans showed the correct standard and previous related inspections were approved on the property.	
c. Document Submittal Requirements	Application form 2 floor plans 2 assessor’s maps 3 justification letters (See Section 30.16.240 Document Submittal Requirements)	2 site plans 2 elevations Deed Letters of consent (if applicable)
d. Fee	\$50.00	
e. Processing Time	10 working days	
f. Application Process	Administrative review per 30.16.210	
g. Notice Requirements	None	
h. Recommending Entities	Government Entities.	
i. Approval Authority	Zoning Administrator in cooperation with the Director of Public Works and the Director of Development Services	
j. Appeal Authority	Board	
k. Standards for Approval	A minor deviation may be approved if there is no material detriment or injury to the neighborhood, or there is an alternative which will produce a living environment or design quality superior to that produced under the existing standards, as evidenced by concurrence from adjacent or abutting property owners when applicable	
l. Application Expiration	2 years to commence. No extensions shall be permitted	

(Ord. 3955 § 2 (part), 6/2011; Ord. 3924 § 3 (part), 1/2011; Ord 3720 § 2 (part), 12/2008; Ord 3688 § 3 (part), 10/2008; Ord. 3549 § 3(part), 9/2007; Ord. 3432 § 2 (part), 10/2006; Ord. 3397 § 2 (part), 6/2006; Ord. 3209 § 4 (part), 3/2005; Ord. 3085 § 40, 6/2004; Ord. 2970 § 2 (part), 11/2003)

**30.16.120 Design Review.** Applications for design review shall be processed per Table 30.16-9. A Design Review or Administrative Design Review shall be required in addition to any other Land Use Application for which plans have been submitted. **NOTE: ADDITIONAL REQUIREMENTS ARE ESTABLISHED IN SECTIONS 30.16.210 AND 30.16.240.**

<b>Table 30.16-9 DESIGN REVIEW - AUTHORITY AND CONSIDERATION TABLE</b>	
<b>SEE ALSO 30.16.210 for general process information and standards</b>	
<b>a. Initiating Authority</b>	Property owner <i>or</i> leaseholder
<b>b. Standards for Acceptance</b>	<p>A design review or administrative design review shall be required in addition to any other required Land Use Application for all construction as specified in this Title within any of the various districts for development visible from any street, except as noted below or when the Board, Commission, or Zoning Administrator determines that a design review is not necessary. Applications shall only be accepted when the applicant demonstrates that the proposed project is in conformance with the provisions of this Title. A design review is required for the following or as specified in this Title (see Table 30.16-10 for Administrative Design Review criteria):</p> <ol style="list-style-type: none"> <li>1. A modification to an approved project which increases the non-single family residential building area by more than 100 square feet or 10% whichever is greater.</li> <li>2. A modification to an approved project which increases the non-single family residential building height by more than 4 feet or 10%, whichever is greater.</li> <li>3. The relocation of any dwelling which is not a manufactured home (as defined by NRS 489.113) 6 years or older.</li> <li>4. Significant changes in location of previously approved uses or principal structures.</li> <li>5. To establish a manmade decorative water feature.</li> </ol> <p><b>Note:</b> Approval of an Administrative Design Review application is additionally required to operate a manmade decorative water feature (see Section 30.64.070(C)).</p> <ol style="list-style-type: none"> <li>6. FAA and other additional requirements and standards are established in 30.16.210.</li> <li>7. Hillside Development</li> <li>8. To establish a Planned Unit Development</li> <li>9. All development located within a P-F zoning district if visible from the street and/or significant impacts to neighboring area.</li> </ol> <p><b>Note:</b> If the Design Review is for the following uses (A-F), a pre-submittal conference is required prior to submitting a Land Use Application. A pre-submittal conference shall include plans as required pursuant to the Chapter (if applicable) noted and/or as determined by the Zoning Administrator.</p> <ol style="list-style-type: none"> <li>A. uses involving hazardous chemicals, explosives, materials or wastes in amounts regulated by NRS and NAC (determination of pertinent requirements for the proposed use)</li> <li>B. planned unit development (PUD) (see Chapter 30.24)</li> <li>C. mixed use development (see Chapter 30.48 Part J)</li> <li>D. high impact project (includes resort hotel) (see Table 30.16-4 – Special Use Permit)</li> <li>E. neighborhood casinos (see Chapter 30.48 Part E)</li> <li>F. resort hotel</li> </ol>

<b>Table 30.16-9      DESIGN REVIEW - AUTHORITY AND CONSIDERATION TABLE</b> <b>SEE ALSO 30.16.210 for general process information and standards</b>	
<b>c. Document Submittal Requirements</b>	<p><b>1. Pre-submittal Conference Requirements</b> for uses involving hazardous chemicals, explosives, materials or wastes in amounts regulated by NRS and NAC; planned unit development (see Chapter 30.24); mixed use development (see Chapter 30.48 Part J); neighborhood casinos (see Chapter 30.48 Part E); resort hotel and high impact projects only:</p> <p>Pre-submittal form                      20 site plans                      20 project descriptions  20 elevations                      20 floor plans                      2 assessor's maps  2 landscape or pedestrian realm plans  2 Pedestrian Realm Section Diagrams (Mixed Use Overlay District only)</p> <p><b>2. All Other Applications Submittals:</b></p> <p>Application form                      5 site plans                      2 floor plans  2 elevations                      2 landscape plans                      2 assessor's maps  2 deeds                      2 legal descriptions                      Parking analysis  3 justification letters                      Disclosure form                      Fire permit survey form  2 grading plans if hillside development (see Chapter 30.56, Part C)  2 pedestrian circulation plans (mixed use development only)  List and quantities of hazardous materials only if applicable (See Clark County Fire Department <i>Hazardous Materials Systems Guideline</i>, NRS, and NAC)  Photographs, samples, or other documentation may be required to determine compatibility with surrounding development  Written evidence of prior submittal to FAA of Form 7460-1, Notification of Proposed Construction, pursuant to Section 30.16.210(4)(F), if applicable  2 Records of survey for projects with Las Vegas Boulevard frontage  For projects within the Asian Design Overlay District see Chapter 30.48 Part K for additional submittal requirements  For projects within the Moapa Valley Overlay District see Chapter 30.48 Part L for additional submittal requirements  Residential Impact Statement for Manufactured Home Park Closures  (See Section 30.16.240 for FAA and additional document submittal requirements)</p>
<b>d. Base Fee</b>	\$300, plus notice and sign fees if required \$2,000 for high impact projects \$500 for projects of regional significance Add \$200 if within a major project Add \$500 Pre-submittal conference fee if applicable    (See Chapter 30.80 Fees)
<b>e. Application Process</b>	Public hearing for the following: relocation of any dwelling which is not a manufactured home 6 years or older, for any development within the P-F zoning district, for Hillside Development or when otherwise required. See Section 30.16.210 (and pre-submittal conference for uses involving hazardous chemicals, explosives, materials or wastes in amounts regulated by NRS and NAC; planned unit development; mixed use development; projects of regional significance; and projects within the Asian Design Overlay District)
<b>f. Notice Requirements</b>	Posted notice, entity notice, and city notice, plus the following: <ol style="list-style-type: none"> <li>1. If a public hearing is required by this Title, Zoning Administrator or for a moved building over 6 years old; 500 foot radius</li> <li>2. For a project of regional significance: 750 foot radius, and any local government whose boundary is within 1/2 mile (2,640')</li> <li>3. For mixed use development: 1,500 foot radius notice, and signs</li> <li>4. Design review notices may also include notice of proposed changes in location of uses or principal structures when applicable</li> <li>5. If the Zoning Administrator determines that there will be sufficient interest or potential impact generated by the application to warrant notice by mail, notice shall be sent.</li> <li>6. If a public hearing is required by the Commission, Board or Zoning Administrator for a subsequent application, the notice provided shall be the same radius notification currently required for the original application requiring the design review.</li> </ol> (See Section 30.16.230 Notice)
<b>g. Recommending Entities</b>	Government Entities, public utilities, and Town Board, plus Cities for projects of regional significance.

<b>Table 30.16-9      <i>DESIGN REVIEW - AUTHORITY AND CONSIDERATION TABLE</i></b> <b><i>SEE ALSO 30.16.210 for general process information and standards</i></b>	
<b>h. Approval Authority</b>	Commission, except Board for the following: <ol style="list-style-type: none"> <li>1. Applications within a major project per Section 30.20.120</li> <li>2. Design reviews for signage in conjunction with resort hotels or projects within the <i>CMA Area Design Overlay District</i></li> <li>3. When required as a condition of approval of any previous application</li> <li>4. At the discretion of the Zoning Administrator</li> <li>5. Application submitted in conjunction with, or in lieu of, another application that requires Board approval</li> <li>6. Applications to establish a mixed use development</li> <li>7. Applications for a project of regional significance</li> <li>8. Applications to establish a manmade decorative water feature</li> <li>9. Projects within the Asian Design Overlay District (see Chapter 30.48 Part K)</li> <li>10. Projects within the SOSA Design Overlay District (see Chapter 30.48 Part M)</li> </ol>
<b>i. Appeal Authority</b>	Board
<b>j. Standards for Approval</b>	The applicant for any design review shall have the burden of proof to establish that plans, including changes in location of uses or principal structures, satisfy the following criteria: <ol style="list-style-type: none"> <li>1. The proposed development is compatible with adjacent development and development in the area;</li> <li>2. The proposed development is consistent with the applicable land use plan, this Title, and other regulations, plans and policies of the County;</li> <li>3. Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;</li> <li>4. Building and landscape materials are appropriate for the area and for the County;</li> <li>5. Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;</li> <li>6. Appropriate measures are taken to secure and protect the public health, safety, and general welfare; and</li> <li>7. FAA and other additional requirements and standards as established in Sections 30.16.210 - 30.16.240</li> </ol>
<b>k. Application Expiration</b>	2 years to commence, except when approved in conjunction with a zone boundary amendment

(Ord. 3955 § 2 (part), 6/2011; Ord. 3924 § 3 (part), 1/2011; Ord. 3848 § 3 (part), 2/2010; Ord. 3805 § 2 (part), 9/2009; Ord. 3757 § 2 (part), 4/2009; Ord. 3720 § 2 (part), 12/2008; Ord. 3688 § 3 (part), 10/2008; Ord. 3635 § 3(part), 6/2008; Ord 3586 § 3 (part), 2/2008; Ord. 3549 § 3(part), 9/2007; Ord. 3521 § 1, 6/2007; Ord. 3520 § 2 (part), 6/2007; Ord. 3518 § 4 (part), 5/2007; Ord. 3499 § 1 (part), 3/2007; Ord. 3472 § 3 (part), 1/2007; Ord. 3432 § 2 (part), 10/2006; Ord. 3382 § 1 (part), 5/2006; Ord. 3357 § 2 (part), 3/2006; Ord. 3355 § 2 (part), 2/2006; Ord. 3354 § 2 (part), 2/2006; Ord. 3296 § 3 (part), 10/2005; Ord. 3229 § 3 (part), 6/2005; Ord. 3219 § 2 (part), 5/2005; Ord. 3209 § 4 (part), 3/2005; Ord. 3174 § 2 (part), 1/2005; Ord. 3160 § 4 (part), 11/2004; Ord. 3062 § 2 (part), 5/2004; Ord. 2970 § 2 (part), 11/2003)

**30.16.130 Administrative Design Review.** Applications for administrative design review shall be processed per Table 30.16-10. A Design Review or Administrative Design Review shall be required in addition to any other Land Use Application for which plans have been submitted.

Table 30.16-10 ADMINISTRATIVE DESIGN REVIEW - AUTHORITY AND CONSIDERATION TABLE SEE ALSO 30.16.210 for general process information and standards													
<b>a. Initiating Authority</b>	Property owner <i>or</i> leaseholder												
<b>b. Standards for Acceptance</b>	<p>Applications shall only be accepted when the applicant demonstrates that the proposed project is not a project of regional significance, is in conformance with the provisions of this Title, and when the application is for (see Table 30.16-9 for Design Review):</p> <ul style="list-style-type: none"> <li><b>A.</b> An addition to an existing non-single family residential building of up to 50% of the floor area, but not to exceed 10,000 square feet, if the architectural style is consistent with the existing structure</li> <li><b>B.</b> A non- residential building of any size or an accessory structure when the architectural style is consistent with the buildings within an existing or approved non-residential development or when an existing non-residential building acts as a buffer to single family residential development; and for all retail/vending structures and drive-thru windows added after original approval or construction to address queuing and onsite circulation (e.g., windmill and similar water dispensers, smog checks, banks, fast food, drycleaners, etc.)</li> <li><b>C.</b> Communication antennas and/or towers per Table 30.44-1</li> <li><b>D.</b> Operation of manmade decorative water features in accordance with subsection 30.64.070 (C)(8). Note: Approval of a Design Review application is required to establish a manmade decorative water feature (see Table 30.16-9)</li> <li><b>E.</b> Increased height or reconstruction of off-premise signs pursuant to Section 30.76.060</li> <li><b>F.</b> Applications for projects which the County is directed to approve by a court of competent jurisdiction</li> <li><b>G.</b> The digital conversion of an existing off-premise sign (See Section 30.76.060)</li> </ul>												
<b>c. Document Submittal Requirements</b>	<table border="0"> <tr> <td>Application form</td> <td>5 site plans</td> </tr> <tr> <td>2 floor plans</td> <td>2 elevations</td> </tr> <tr> <td>2 landscape plans</td> <td>2 assessor's maps</td> </tr> <tr> <td>2 deeds</td> <td>2 legal descriptions</td> </tr> <tr> <td>Parking analysis</td> <td>3 justification letters</td> </tr> <tr> <td colspan="2">2 pedestrian circulation plans (mixed use development only)</td> </tr> </table> <p>Photographs, samples, or other documentation may be required to determine compatibility with surrounding development</p> <p>For communication towers, evidence of technological or economic hardship which would prevent collocation on a building or structure within 600 feet</p> <p>For applications to operate manmade decorative water features, a receipt from the Southern Nevada Water Authority as required by 30.64.070(C)(8), and the plan shall show the amount of turf to be removed and/or the surface area of the water feature</p> <p>(See Section 30.16.240 for Document Submittal Requirements)</p>	Application form	5 site plans	2 floor plans	2 elevations	2 landscape plans	2 assessor's maps	2 deeds	2 legal descriptions	Parking analysis	3 justification letters	2 pedestrian circulation plans (mixed use development only)	
Application form	5 site plans												
2 floor plans	2 elevations												
2 landscape plans	2 assessor's maps												
2 deeds	2 legal descriptions												
Parking analysis	3 justification letters												
2 pedestrian circulation plans (mixed use development only)													
<b>d. Base Fee</b>	<p>\$300</p> <p>Add \$200 if within a major project</p> <p>\$10,000 for off-premise digital sign conversion including off-premise digital signs previously converted without all required permits and approvals including but not limited to building and electrical permits.</p>												
<b>e. Processing Time</b>	10 working days after the last day of the week of the filing period during which the application is submitted												
<b>f. Application Process</b>	Administrative review per 30.16.210												
<b>g. Recommending Entities</b>	Government Entities.												
<b>h. Approval Authority</b>	Zoning Administrator												
<b>i. Appeal Authority</b>	Board												
<b>j. Standards for Approval</b>	<p>Development shall comply with all development standards as specified in this Title, shall be harmonious and compatible with surrounding development, and shall not be unsightly, undesirable, or noxious</p> <p>For Off-Premise Digital Sign Conversion (Comply with Section 30.76.060)</p>												

**Table 30.16-10 ADMINISTRATIVE DESIGN REVIEW - AUTHORITY AND CONSIDERATION TABLE**  
**SEE ALSO 30.16.210 for general process information and standards**

<b>k. Application</b>	2 years to commence
<b>Expiration</b>	For Off-Premise Digital Sign Conversion 6 months to commence; no extensions of time may be permitted.

(Ord. 3955 § 2 (part), 6/2011; Ord. 3924 § 3 (part), 1/2011; Ord. 3805 § 2 (part), 9/2009; Ord. 3741 § 3(part), 3/2009; Ord 3720 § 2 (part), 12/2008; Ord. 3549 § 3(part), 9/2007; Ord. 3472 § 3 (part), 1/2007; Ord. 3354 § 2 (part), 2/2006; Ord. 3296 § 3 (part), 10/2005; Ord. 3209 § 4 (part), 3/2005; Ord. 3160 § 4 (part), 11/2004; Ord. 3106 § 2 (part), 8/2004; Ord. 3094 § 2, 7/2004; Ord. 3061 § 3 (part), 5/2004; Ord. 3055 § 2 (part), 4/2004; Ord 3019 § 3, 2/2004; Ord 2981 § 2 (part), 11/2003; Ord. 2970 § 2 (part), 11/2003)

**30.16.140 Vacation and Abandonment.** Applications for vacation and abandonment shall be processed per Table 30.16-11.

<b>Table 30.16-11 VACATION AND ABANDONMENT - AUTHORITY AND CONSIDERATION TABLE</b> <b>SEE ALSO 30.16.210 for general process information and standards</b>	
<b>a. Initiating Authority</b>	Board, Director of Public Works, Zoning Administrator, or property owner of any property abutting the alignment
<b>b. Standards for Acceptance</b>	At a minimum, applications shall be processed for entire street segments, from intersection to intersection unless a determination is made by the Director of Public Works or Zoning Administrator that the vacation and abandonment of a partial segment is appropriate. Collector or arterial street or alignment requiring a Transportation Element Amendment shall be processed prior to or concurrent with a Comprehensive Plan Amendment per Table 30.12-1.
<b>c. Document Submittal Requirements</b>	Application form 2 deeds 2 easement/right-of-way documents 3 justification letters Disclosure form Utility company approval for Administrative Vacation and Abandonment only If vacating patent easements only, without a public hearing, in addition to the above: Letters of consent from property owners adjacent to the easement and/or any extension of the easement to the nearest dedicated right-of-way 2 Records of survey for projects with Las Vegas Boulevard frontage (See Section 30.16.240 Document Submittal Requirements)
<b>d. Base Fee</b>	\$200 to vacate patent easements only, without a public hearing \$300 to vacate right-of-way, or easements with a public hearing plus \$200 delivery confirmation mail fee Add \$200 if within a major project (See Chapter 30.80 Fees)
<b>e. Approximate Processing Time</b>	To vacate patent easements only, without a public hearing: 10 working days after the last day of the week of the filing period during which the application is submitted
<b>f. Application Process</b>	Public hearing or administrative review per Section 30.16.210
<b>g. Notice Requirements</b>	1. To vacate patent easements only, without a public hearing: none 2. To vacate easements with a public hearing, or right-of-way: posted notice, entity notice, city notice, newspaper notice, and 500 foot notice (delivery confirmation mail required for abutting properties only) (See Section 30.16.230 Notices)
<b>h. Recommending Entities</b>	1. To vacate patent easements only, without a public hearing: Government Entities, public utilities, and Town Board (shall be used if received but are not required); letters of consent from property owners adjacent to the easement and/or any extension of the easement to the nearest dedicated right-of-way shall also serve as recommendations 2. To vacate easements with a public hearing, or right-of-way: Government Entities, public utilities, and Town Board
<b>i. Approval Authority</b>	1. Administrative - To vacate patent easements only, without a public hearing: Director of Public Works 2. Commission - To vacate easements with a public hearing, or rights-of-way: Commission, except full-width rights-of-way for collector and arterial streets included on the Transportation Element map shall be forwarded to the Board with the Commission's recommendation 3. Board – Application submitted in conjunction with, or in lieu of, another application that requires Board approval
<b>j. Appeal Authority</b>	Board
<b>k. Standards for Approval and Recordation</b>	1. The Director of Public Works, Commission, or Board, shall determine that there is no present nor future public need for the area proposed to be vacated, and that the public will not be materially injured by the proposed vacation. The approval of a vacation and abandonment shall constitute such a determination 2. The order of vacation shall not be recorded in the Office of the County Recorder until consenting recommendations have been received from any public utility and all conditions of approval have been satisfied, except as provided in "m" below
<b>l. Application Expiration</b>	The order of vacation must be recorded in the Office of the County Recorder within 2 years from the date of approval. Any extension of time shall require the re-approval of affected government and public utility entities. The vacation application cannot be administratively extended.
<b>m. Recordation</b>	The County may record the order of vacation if utility companies have not responded within 90 days from the approval date

(Ord 3955 § 2 (part), 6/2011; Ord 3885 § 3, 8/2010; Ord. 3859 § 3 (part), 6/2010; Ord. 3848 § 3 (part), 2/2010; Ord. 3757 § 2 (part), 4/2009; Ord. 3720 § 2 (part), 12/2008; Ord. 3688 § 3 (part), 10/2008; Ord. 3549 § 3(part), 9/2007; Ord. 3518 § 4 (part), 5/2007; Ord. 3499 § 1 (part), 3/2007; Ord. 3472 § 3 (part), 1/2007; Ord. 3432 § 2 (part), 10/2006; Ord. 3354 § 2 (part), 2/2006; Ord. 3296 § 3 (part), 10/2005; Ord. 3160 § 4 (part), 11/2004; Ord. 3085 § 41, 6/2004; Ord. 2970 § 2 (part), 11/2003)

**30.16.150 Reconveyance of Public Property.** Applications for the reconveyance of public property shall be processed by the originating department or agency through the Clark County Department of Administrative Services, working in conjunction with the Departments of Development Services and Comprehensive Planning to satisfy related NRS requirements concerning public notification and Planning Commission recommendations.

**DELETED: Table 30.16-12 (*Italicized words are defined in Chapter 30.08*)**

***RECONVEYANCE OF PUBLIC PROPERTY - AUTHORITY AND CONSIDERATION TABLE***

(Ord. 3085 § 42, 6/2004; Ord. 2970 § 2 (part), 11/2003)



**30.16.160 Administrative Street Naming.** Applications to name (unnamed) streets, or to change names of certain streets, shall be processed per Table 30.16-13. Streets within a subdivision shall be named by the recordation of the map and need not follow this procedure.

<b>Table 30.16-13 ADMINISTRATIVE STREET NAMING - AUTHORITY AND CONSIDERATION TABLE</b> <b>SEE ALSO 30.16.210 for general process information and standards</b>	
<b>a. Initiating Authority</b>	Zoning Administrator, Building Official, or property owner
<b>b. Standards for Acceptance</b>	<ol style="list-style-type: none"> <li>1. An administrative street naming may be processed to change the name of a street where there is no habitable structure on the street, all property abutting the street is under common ownership, and the Fire Alarm Office of the City of Las Vegas Fire Department and the Building Official approves the change.</li> <li>2. If in compliance with this subsection, street names established by the recording of a subdivision map may be changed by filing a certificate of amendment in lieu of this application.</li> <li>3. An application to establish a street name inconsistent with the requirements of this table may be submitted as a street name change in accordance with Table 30.16-14 below.</li> </ol>
<b>c. Document Submittal Requirements</b>	Application form 2 Assessor's maps Approval letter from the City of Las Vegas Fire Department's Fire Alarm Office Approval letter from the Clark County Building Official (See Section 30.16.240 Document Submittal Requirements)
<b>d. Fee</b>	None
<b>e. Processing Time</b>	5 working days
<b>f. Application Process</b>	Administrative review per 30.16.210. Certificates of Amendment shall be submitted to the County Surveyor.
<b>g. Notice Requirements</b>	None
<b>h. Recommending Entities</b>	City of Las Vegas Fire Department's Fire Alarm Office and the Clark County Building Official
<b>i. Approval Authority</b>	Building Official; or for Certificates of Amendment, County Surveyor
<b>j. Appeal Authority</b>	Board
<b>k. Standards for Approval</b>	All proposed street names shall comply with the Las Vegas Valley Street Naming and Address Assignment Policy, as adopted by the Board on August 3, 1988, as shown in Appendix A.
<b>l. Application Expiration</b>	None
<b>m. Conditions of Approval</b>	<ol style="list-style-type: none"> <li>1. The Building Official may require the posting of street signs in accordance with the Las Vegas Valley Street Naming and Address Assignment Policy.</li> <li>2. The applicant shall be responsible for installation of street signs, per Public Works requirements.</li> </ol>
<b>n. Compliance</b>	Upon the approval of a street name, the Building Official shall determine its application to all streets, avenues, thoroughfares or other traffic-ways, or to the numbering of any premises thereon, and shall communicate the same to the owner of each abutting developed parcel. The official, assigned address of all buildings, units of buildings, or other approved land uses shall be displayed in accordance with the display requirements prescribed in the Las Vegas Valley Street Naming and Address Assignment Policy. Street signs shall be installed within 60 calendar days of the approval of the application.

(Ord. 3924 § 3 (part), 1/2011; Ord. 3549 § 3(part), 9/2007; Ord. 3085 § 43, 6/2004; Ord. 2970 § 2 (part), 11/2003)

**30.16.170 Street Name or Numbering System Change.** Applications to change street names which have habitable or occupied buildings facing them, or to name streets inconsistent with the standards of the Address and Street Numbering Policy shall be processed per Table 30.16-14.

<b>Table 30.16-14</b> <b>STREET NAME OR NUMBERING SYSTEM CHANGE - AUTHORITY AND CONSIDERATION TABLE</b> <i>SEE ALSO 30.16.210 for general process information and standards</i>	
<b>a. Initiating Authority</b>	Board, Zoning Administrator, or property owner of any property abutting the alignment
<b>b. Standards for Acceptance</b>	Only 1 street alignment, or numbering system, shall be considered with each application, and applications shall be processed for entire street segments, from intersection to intersection. Nothing in this subsection shall prevent a property owner from requesting an address change that conforms to Las Vegas Valley Street Naming and Address Assignment Policy from the Building Official.
<b>c. Document Submittal Requirements</b>	Application form 2 Assessor's maps 3 Justification letters Disclosure form Recommendation letter from City of Las Vegas Fire Department's Fire Alarm Office Recommendation letter from Building Official (See Section 30.16.240 for Document Submittal Requirements)
<b>d. Fee</b>	\$300
<b>e. Application Process</b>	Public hearing per Section 30.16.210
<b>f. Notice Requirements</b>	Posted notice, entity notice, city notice, and abutting property notice (See Section 30.16.230 Notice)
<b>g. Recommending Entities</b>	Government Entities, Town Board, Building Official, and City of Las Vegas Fire Department's Fire Alarm Office
<b>h. Approval Authority</b>	Commission
<b>i. Appeal Authority</b>	Board
<b>j. Standards for Approval</b>	All proposed street names shall comply with the Las Vegas Valley Street Naming and Address Assignment Policy, as adopted by the Board on August 3, 1988, as shown in Appendix A unless the Commission or Board determines that the public interest will be served by the change. The approval of a street name or numbering system change shall constitute such a determination.
<b>k. Application Expiration</b>	None
<b>l. Conditions of Approval</b>	The applicant shall be responsible for installation of street signs, per Public Works requirements.
<b>m. Compliance</b>	Upon the approval of a system of street naming, numbering or house numbering, or any amendment thereto, the Building Official shall determine its application to all streets, avenues, thoroughfares or other traffic-ways, or to the numbering of any premises thereon, and shall communicate the same to the owner of each abutting developed parcel. The official, assigned address of all buildings, units of buildings, or other approved land uses shall be displayed in accordance with the display requirements prescribed in the Las Vegas Valley Street Naming and Address Assignment Policy. Street signs shall be installed within 60 calendar days of the approval of the application.

(Ord. 3848 § 3 (part), 2/2010; Ord. 3549 § 3(part), 9/2007; Ord. 3085 § 44, 6/2004; Ord. 2970 § 2 (part), 11/2003)

**30.16.180 Waiver of Conditions.** Applications for waivers from conditions shall be processed per Table 30.16-15.

<b>Table 30.16-15 WAIVER OF CONDITIONS - AUTHORITY AND CONSIDERATION TABLE</b> <i>SEE ALSO 30.16.210 for general process information and standards</i>	
<b>a. Initiating Authority</b>	Property owner, leaseholder, or Board
<b>b. Standards for Acceptance</b>	An application may be accepted to waive a condition imposed by the Zoning Administrator, Director of Public Works, Commission or Board on any approved Land Use Application or subdivision map application, providing the waiver is heard by the original or higher approval authority. The waiver may be submitted in conjunction with a subsequent Land Use Application. If the plan was originally approved by a public hearing, the waiver shall also be a public hearing.
<b>c. Document Submittal Requirements</b>	Application form 3 Justification letters Disclosure form 2 Records of survey for projects with Las Vegas Boulevard frontage (See Section 30.16.240 Document Submittal Requirements)
<b>d. Base Fee</b>	\$300 plus the notification fee required by the original application
<b>e. Application Process</b>	The same hearing process conducted for the original application
<b>f. Notice Requirements</b>	The same radius notification currently required for the original application (See original application type)
<b>g. Recommending Entities</b>	Government Entities, and Town Board.
<b>h. Approval Authority</b>	Commission or Board
<b>i. Appeal Authority</b>	Board
<b>j. Standards for Approval</b>	<ol style="list-style-type: none"> <li>1. Upon finding that the condition will no longer fulfill its intended purpose, the authority may waive conformance to the condition.</li> <li>2. Applications for projects approved through a nonconforming zone boundary amendment shall demonstrate with clear and convincing evidence that any proposed waiver will not adversely impact neighboring properties.</li> </ol>
<b>k. Application Expiration</b>	No time limit provided the underlying application does not expire.

(Ord. 3955 § 2 (part), 6/2011; Ord. 3859 § 3 (part), 6/2010; Ord. 3848 § 3 (part), 2/2010; Ord. 3720 § 2 (part), 12/2008; Ord. 3635 § 3(part), 6/2008; Ord. 3586 § 3 (part), 2/2008; Ord. 3549 § 3(part), 9/2007; Ord. 3499 § 1 (part), 3/2007; Ord. 2970 § 2 (part), 11/2003)

**30.16.190 Annexation Requests.** Application requests for the annexation of property within the boundaries of an unincorporated town as such boundary existed on July 1, 1983, as required by NRS 268.580(d), into an incorporated city shall be processed per Table 30.16-16. For the purposes of this subsection, “city” shall mean the City of Henderson, the City of Las Vegas, or the City of North Las Vegas.

<b>Table 30.16-16 ANNEXATION REQUEST - AUTHORITY AND CONSIDERATION TABLE</b> <i>SEE ALSO 30.16.210 for general process information and standards</i>	
<b>a. Initiating Authority</b>	Property owner
<b>b. Document Submittal Requirements</b>	<div>Application form</div> <div>2 deeds</div> <div>3 justification letters</div> <div>Disclosure form</div> <div>(See Section 30.16.240 Document Submittal Requirements)</div> <div>5 site plans</div> <div>2 legal descriptions</div> <div>3 annexation letters</div> <div>2 assessor’s maps</div>
<b>c. Fee</b>	\$1,000
<b>d. Application Process</b>	Hearing per 30.16.210
<b>e. Notice Requirements</b>	Posted notice, entity notice, and city notice (See Section 30.16.230 Notice)
<b>f. Recommending Entities</b>	Government Entities and Town Board
<b>g. Approval Authority</b>	Board
<b>h. Standards for Approval</b>	An application may be approved by the Board for good cause shown in order to achieve the following: eliminate County islands, establish consistent boundaries based on natural features which will provide for consistent and logical services and service areas, to correct faulty survey errors, and ensure the request will not have a negative fiscal impact upon the County. The approval of an annexation request shall constitute such a determination.
<b>i. Time Limit if Approved</b>	None

(Ord. 3848 § 3 (part), 2/2010; Ord. 3549 § 3(part), 9/2007; Ord. 3296 § 3 (part), 10/2005; Ord. 3055 § 2 (part), 4/2004; Ord. 2970 § 2 (part), 11/2003)

**Extensions of Time.** Applications for extensions of time shall be processed per Table 30.16-17.

<b>Table 30.16-17 EXTENSIONS OF TIME - AUTHORITY AND CONSIDERATION TABLE</b> <i>SEE ALSO 30.16.210 for general process information and standards</i>	
<b>a. Initiating Authority</b>	Property owner, leaseholder, or same required initiating authority as original application
<b>b. Standards for Acceptance</b>	<ol style="list-style-type: none"> <li>1. Administrative extension of time for commencement or completion, even if the original application has expired, when:               <ol style="list-style-type: none"> <li>A. A separate and active Land Use Application or tentative map (must have an expiration date) for the initial development of the same property and project has been approved prior to the expiration date. The original application may be extended to match the expiration date of the active application or map;</li> <li>B. A building permit application to construct the improvement has been submitted to the Building Official prior to the expiration date. The application may be extended to match the time limit for the issuance of the permit; or</li> <li>C. A building permit has been issued, construction commenced, and the project has been under continuous construction</li> </ol> </li> <li>2. Administrative extension of time as permitted by this Title for applications approved administratively.</li> <li>3. Extension of time by hearing: For all other circumstances, a hearing extension of time may be requested. A request to extend an application shall be submitted before 5:00 p.m. of the day the application is due to expire, or the last working day prior to expiration.</li> </ol>
<b>c. Document Submittal Requirements</b>	Application form                      2 deeds (only if new owner) Disclosure form                      Fire permit survey form 3 justification letters List and quantities of hazardous materials only if applicable (See Clark County Fire Department's <i>Hazardous Materials Systems Guideline</i> , NRS, and NAC) 2 Records of survey for projects with Las Vegas Boulevard frontage must be submitted prior to approval of Extension of Time (See Section 30.16.240 for document submittal details)
<b>d. Base Fee</b>	\$150 base \$300 if original application is a Zone Boundary Amendment, Development Agreement, or Public Facilities Needs Assessment \$200 if original application is a tentative map Add \$200 if within a major project If public hearing, notice fees for original application shall be added. (See Chapter 30.80, Fees)
<b>e. Approximate Processing Time</b>	Administrative Extension: 5 working days
<b>f. Application Process</b>	Administrative review or hearing per 30.16.210
<b>g. Notice Requirements</b>	<ol style="list-style-type: none"> <li>1. No notice required for administrative extensions.</li> <li>2. For a hearing extension: Posted notice, entity notice, and city notice.</li> <li>3. In addition, if the original approval required a public hearing for any extension, or the Zoning Administrator determines that the general prosperity, health, safety, and welfare of the community will be served, notice shall be sent in accordance with the original application.</li> <li>4. Any extension of time for a neighborhood casino shall be a public hearing with notice required as follows: posted notice, entity notice, city notice, and 2,500 foot radius notice. (See Section 30.16.230 for details)</li> </ol>
<b>h. Recommending Entities</b>	Government Entities and Town Board unless a recommendation is not received by the Zoning Administrator.
<b>i. Approval Authority</b>	Zoning Administrator, Commission, or Board
<b>j. Appeal Authority</b>	Board

<b>Table 30.16-17    <i>EXTENSIONS OF TIME - AUTHORITY AND CONSIDERATION TABLE</i></b> <b><i>SEE ALSO 30.16.210 for general process information and standards</i></b>	
<b>k. Standards for Approval</b>	<ol style="list-style-type: none"> <li>1. For an administrative extension, the Zoning Administrator may grant an extension of time providing that conditions have not sufficiently changed to warrant denial.</li> <li>2. For an extension of time by hearing, the approval authority may grant an extension of time for any time period, or eliminate further review. The approval authority may deny or add new conditions to the application if it finds that circumstances have substantially changed to warrant denial or added conditions. A substantial change may include, without limitation, a change to the subject property, a change in the areas surrounding the subject property, or a change in the laws or policies affecting the subject property.</li> </ol>
<b>l. Application Expiration</b>	<ol style="list-style-type: none"> <li>1. For an administrative extension, the time may be extended to match the expiration date for the subsequent application, building permit, or map.</li> <li>2. For a hearing extension, the Commission or Board shall determine a time limit. A time limit for review to assess the continued impact of the use on the community and adjacent uses may also be imposed.</li> </ol>
<b>m. Conditions of Approval</b>	All extensions are subject to all the conditions of the original approval unless otherwise specified by the Commission or Board. The Commission or Board may impose additional conditions to further mitigate potential adverse effects of the proposal on adjacent properties and the community.

(Ord. 3955 § 2 (part), 6/2011; Ord. 3848 § 3 (part), 2/2010; Ord. 3757 § 2 (part), 4/2009; Ord. 3741 § 3 (part), 3/2009; Ord. 3720 § 2 (part), 12/2008; Ord. 3688 § 3 (part), 10/2008; Ord. 3549 § 3(part), 9/2007; Ord. 3499 § 1 (part), 3/2007; Ord. 3432 § 2 (part), 10/2006; Ord. 3355 § 2 (part), 2/2006; Ord. 3106 § 2 (part), 8/2004; Ord. 3085 § 45, 6/2004; Ord. 3061 § 3 (part), 5/2004; Ord 2981 § 2 (part), 11/2003)

**30.16.205 Zoning Compliance Application.** Applications to ensure specified developments are in compliance with development code requirements shall be processed per Table 30.16-17.5.

<b>Table 30.16-17.5 ZONING COMPLIANCE APPLICATION - AUTHORITY AND CONSIDERATION TABLE</b> <i>SEE ALSO 30.16.210 for general process information and standards</i>	
<b>a. Initiating Authority</b>	Property owner or leaseholder, or the operator of a community residence
<b>b. Standards for Acceptance</b>	Applications shall only be accepted when the applicant demonstrates that the proposed project is in conformance with the provisions of this Title.
<b>c. Document Submittal Requirements</b>	<div> <div>Application form</div> <div>2 floor plans</div> <div>2 landscape plans</div> <div>2 deeds</div> <div>Parking analysis</div> <div>Photographs to confirm compliance with residential standards</div> <div>If the applicant is a renter, notarized authorization to submit the application from the property owner.</div> <div>(See Section 30.16.240 for Document Submittal Requirements)</div> </div> <div> <div>5 site plans</div> <div>2 elevations</div> <div>2 assessor's maps</div> <div>2 legal descriptions</div> <div>3 justification letters</div> </div>
<b>d. Base Fee</b>	\$300 (except that applications for community residences shall be exempt from any fees)
<b>e. Processing Time</b>	10 working days after the last day of the week of the filing period during which the application is submitted
<b>f. Application Process</b>	Administrative review per 30.16.210
<b>g. Approval Authority</b>	Zoning Administrator
<b>h. Appeal Authority</b>	A person may appeal the decision by submitting a special use permit application per Table 30.16-4.
<b>i. Standards for Approval</b>	Development shall comply with all development standards as specified in this Title.
<b>j. Application Expiration</b>	2 years to commence

(Ord. 3924 § 3 (part), 1/2011; Ord. 3726 § 2, 12/2008; Ord. 3549 § 3(part), 9/2007; Ord. 3423 § 3, 8/2006)

**30.16.206 Development Agreement.** Applications for a development agreement other than major projects shall be processed per Table 30.16-20.

<b>Table 30.16-20 DEVELOPMENT AGREEMENT - AUTHORITY AND CONSIDERATION TABLE</b> <i>SEE ALSO 30.16.210 for general process information and standards</i>	
<b>a. Initiating Authority</b>	Board, property owner, any other government entity
<b>b. Standards for Acceptance</b>	<ol style="list-style-type: none"> <li>1. Issuance of RISE Report Acceptance Letter.</li> <li>2. An application for a Development Agreement is not required if a public facilities needs assessment (PFNA) encompassing the property has been previously approved, unless the Board determines a development agreement is necessary to further address infrastructure and services not covered in the PFNA, and the development agreement has been agreed to and imposed as a condition of approval on a Land Use Application.</li> <li>3. A Development Agreement may be processed concurrently with, but not prior to a Land Use Application for the proposed development, provided negotiations have commenced.</li> </ol>
<b>c. Document Submittal Requirements</b>	<p>Application form 2 Development Agreements</p> <p>Copy of RISE Report Acceptance Letter</p> <p>Additional information may be required following review of submitted materials (See Section 30.16.240 for details)</p>
<b>d. Fee</b>	<p>\$2,000 Plus:</p> <ul style="list-style-type: none"> <li>• \$2 per acre plus \$2 per parcel over 1 parcel;</li> <li>• Up to 20 acres – \$25;</li> <li>• 20 to 100 acres – \$50; and</li> <li>• More than 100 acres – \$100</li> </ul>
<b>e. Application Process</b>	<p>Prior to development agreement submittal staff will meet with applicant and relevant departments and agencies to negotiate development agreement details. Negotiations may begin any time during the process. The application may be submitted for Board consideration after substantial elements of the development agreement have been resolved.</p> <p>Hearing before the Board per 30.16.210.</p>
<b>f. Notice</b>	Posted notice, entity notice, city notice
<b>g. Recommending Entities</b>	<p>Government Entities</p> <p>(See 30.16.230 for detailed notice requirements)</p>
<b>h. Approval Authority</b>	Board
<b>i. Standards for Approval</b>	<p>Approval is contingent upon the Board determining that the development agreement is:</p> <ol style="list-style-type: none"> <li>1. adequately addressing issues identified in the RISE reports;</li> <li>2. a necessary and appropriate mechanism to facilitate development of the project;</li> <li>3. consistent with the objectives, policies, general land uses and programs specified in the master plan;</li> <li>4. compatible with uses authorized in, and regulations prescribed for, the zoning district in which the property is located and all other provisions of this Title;</li> <li>5. not be detrimental to public health, safety and general welfare; and</li> <li>6. consistent with the provision of Nevada Revised Statutes Chapter 278</li> </ol> <p>If approved, the agreement shall be adopted by ordinance in accordance with Nevada Revised Statutes.</p>
<b>j. Vesting of Rights</b>	<p>Any development agreement approved and adopted pursuant to this Chapter may allow the property owner to be vested for specific development rights only upon achieving specific progress thresholds. Such progress thresholds shall be based on contributions toward or construction of specific public or private improvements as specified in the agreement. The property owner or applicant shall acquire no vested rights other than those allowed in the agreement and as otherwise provided under applicable laws</p>
<b>k. Time Limit if Approved</b>	As specified in the agreement. All agreements are subject to a 2 year review of the agreement

(Ord. 3848 § 3(part), 2/2010; Ord. 3635 § 3(part), 6/2008; Ord. 3549 § 3(part), 9/2007; Ord. 3520 § 2 (part), 6/2007)



**30.16.210 Application Process.** When specified within this Title that such an application is required or authorized, the approval authority shall consider applications in accordance with the following procedure in addition to the requirements listed in sections 30.16.040 through 30.16.200 above for specific application types:

- 1. Applications.** Any application, amendment, or map requiring approval shall be filed with the Zoning Administrator and shall be presented to the approval authority for review and approval within the approximate time specified under the application type. Administrative applications shall be processed and acted upon without a formal hearing. Hearing applications shall be scheduled to a meeting before the approval authority; however, public hearing notices need not be sent to adjacent and nearby properties provided other required notice is given. Public hearing applications shall be scheduled to a meeting before the approval authority and shall be notified per the appropriate application requirement, including notice to adjacent and nearby properties.
- 2. Pre-submittal Conference.** Any application, amendment, or map requiring a pre-submittal conference shall include plans as required pursuant to this Title and/or as determined by the Zoning Administrator, and shall satisfy all pre-submittal requirements prior to the application's submittal. Multiple applications for the same project may utilize one pre-submittal conference, subject to expiration as established in Section 30.16.210(19)(G). A pre-submittal conference, including any required document submitted thereto, shall not be considered a Land Use Application submittal. A pre-submittal conference shall be required for the following (A-G) and as otherwise determined by the Zoning Administrator:
  - A.** uses involving hazardous chemicals, explosives, materials or wastes in amounts regulated by NRS and NAC (determination of pertinent requirements for the proposed use)
  - B.** planned unit development (PUD) (see Chapter 30.24)
  - C.** mixed use development, including mixed use development in C-1, C-2 and H-1. (see Chapter 30.48 Part J)
  - D.** high impact project
  - E.** neighborhood casinos
  - F.** nonconforming zone boundary amendments
  - G.** Resort Hotel
- 3. Document Submittal Requirements.** Land use pre-submittal forms and applications shall not be acceptable without the required documents unless the Zoning Administrator determines a listed document is not required. If circumstances warrant, the Zoning Administrator may require additional documentation necessary to evaluate a particular application.
- 4. Standards for Acceptance.**
  - A.** All parcels of land included within a single petition or application must be contiguous. Except for specific applications to waive standards, all plans shall show development that complies with the standards of this Title. If such an application is accepted and later found to not be in conformance with this Title, the application shall be considered to be withdrawn and the fees shall be refunded to the applicant or owner. In addition, standards for acceptance of specific applications are as listed with each application type.
  - B.** Applications, amendments, or maps to establish uses involving hazardous chemicals, explosives, materials or wastes shall not be accepted prior to submittal of the Clark County Fire Permit Survey Form to the Building Official. The owner or applicant shall also engage in a pre-submittal conference with County staff to discuss hazardous materials requirements pertinent to the proposed development prior to submitting an application for a chemical and/or hazardous material use.
  - C.** Applications for increased density or intensity, or for exceptions to the special standards required, within any overlay district shall not be accepted unless in compliance with Chapter 30.48.

- D. Annexation applications shall not be accepted without the required acknowledgement from the City into which a property is proposed to be annexed (See Annexation Letter, Section 30.16.240 (13).
  - E. Applications to waive on-site paving requirements not exempt per 30.60.025 shall not be accepted without concurrence from the Department of Air Quality and Environmental Management.
  - F. Applications for any land use that requires submittal of FAA Form 7460-1, Notification of Proposed Construction, per Section 30.56.070 and Chapter 30.48 Part B shall not be accepted without written evidence (from FAA) of prior submittal to the FAA.
  - G. Applications for any land use that requires a pre-submittal conference shall not be accepted prior to satisfying all pre-submittal conference requirements.
5. **Fees.** When applicable, the applicant shall pay a filing fee per Chapter 30.80 at the time of filing for a pre-submittal conference request, application, amendment, or map (*fees are also listed in each application table*).
6. **Processing Time.** Generally, *action* shall be taken approximately within the specified period as measured from the date of acceptance of the application unless appealed, extended by the County, at the request by owner, or for good cause.
7. **Review.**
- A. The Zoning Administrator may notify interested public utilities and governmental entities. The Town Board whose jurisdiction includes the area of the petition shall be notified not less than 10 days prior to the hearing unless it is an administrative application.
  - B. If a hearing is required to be a public hearing, public notice as required shall be provided, and interested parties shall have an opportunity to be heard.
  - C. The approval authority shall consider the submitted data and information, recommendations from public utilities, government entities including town boards, and interested parties in an endeavor to determine whether the application will help accomplish the purpose and intent of this Title.
  - D. For an expansion of the Gaming Enterprise District, a court reporter shall record the hearing in accordance with Chapters 463 and 656 of NRS.
8. **Approval Authority.** The approval authority listed in Tables 30.16-2 through 30.16-17 shall have the authority to take final action on an application, amendment, or map, except that applications for which the Commission is the approval authority may instead, when submitted in conjunction with another application, amendment, or map requiring Board action, be acted on by the Board.
9. **Request to Hold.** The owner or applicant may request the approval authority to postpone consideration of an application, amendment, or map from the scheduled date to a future date. The approval authority may hold the application, amendment, or map as requested, may hold it to a date other than requested, or may act on it if the approval authority determines action is appropriate. Per NRS 278.050 and 278.3195, the approval authority shall not grant more than 2 continuances on the same matter unless additional circumstances are warranted by the determination of good cause shown by the applicant. A request to hold a nonconforming zone change within the urban area except Laughlin, or a nonconforming zone change within Moapa Valley, may result in the application being held to the next group of applications within the same planning area.
10. **Decision.** The approval authority shall act upon the application with consideration to recommendations from the Town Board and other government entities, providing all applicable requirements of this Title are met.

- A. If the recommendation of the Town Board or City is not followed, the approval authority shall specify for the record the reasons for its decision.
  - B. The applicant and Town Board (or Citizens Advisory Council) shall be notified of the decision on an application not less than 10 days following final action.
- 11. Conditions of Approval.** As a prerequisite to approval of an application, the approval authority may impose conditions on any application, amendment, or map necessary to accomplish the objectives of this Title and to mitigate potential adverse effects of an application on adjacent properties and the community which shall be binding on property owner(s) and their successors, including but not limited to the following:
- A. All development or use of land is subject to the development standards listed in this Title unless otherwise specified.
  - B. Compliance with all approved plans, conditions, restrictions and rules is required prior to permit issuance or map recordation, except that the approval authority may require revisions to plans.
  - C. The approval authority may require the property owner to grant to the County right-of-way, easements, or other consideration necessary for the protection of the health and welfare of the community, including the signing of a resolution of intent in conjunction with an application for a zone boundary amendment.
  - D. Any condition imposed by the Board in conflict with any requirement of this Code which is designed to mitigate the impact of an application, amendment, or map on adjacent property owners or the community shall be permitted without additional Land Use Application submittals unless the condition would create a health or safety hazard (including, without limitation, sight zone or airport environs hazards).
  - E. Any condition imposed on a previously approved application may be waived on any subsequently approved application if required notices show the waiver requested. The Commission may only waive conditions imposed by the Commission; however, the Board may waive conditions imposed by the Commission or Board.
  - F. The approval authority may consider a development agreement for high impact projects. The agreement will address the need for the provision of adequate public facilities and/or infrastructure including but not limited to transportation, fire and police protection, flood control and drainage, parks, and open space, trails system, schools, water and sewer services, related to the proposed development, and as identified in the RISE reports submitted with special use permit application. In addition, the development agreement will evaluate phasing of additional facilities and services for the proposed development, and ensure existing services for established development will not be significantly affected. The approval authority may consider whether a

less intense project is appropriate if the development agreement does not adequately address the impacts and related needs identified in the RISE reports.

- G. For projects other than high impact projects, the approval authority may propose a development agreement consistent with the needs identified by the approval of a public facilities needs assessment.

**12. Standards for Approval.** In addition to specific standards for approval for each application type listed in Sections 30.16.040 through 30.16.200 above, the following standards apply for the consideration of all application types:

- A. An application, amendment, or map may be approved if it meets the following criteria:
  - i. It is generally consistent with the Plan, as amended, or reflects conditions that have changed since the adoption or amendment to the Plan.
  - ii. There will be capacity to provide adequate public facilities and services, including but not limited to transportation, utility, sewer, water, police, and fire service, to accommodate development permitted under the proposal.
  - iii. It complies with and forwards the capital improvement planning efforts of the County.
  - iv. It will not significantly impact the natural environment, including but not limited to water, air, noise, storm water management, wildlife, vegetation, wetlands, and the natural functioning of the environment.
  - v. It will result in a logical and orderly development pattern.
  - vi. The proposal, including but not limited to the density, intensity, scale, height, and operations, is harmonious and compatible with existing and planned development on adjacent properties and in the surrounding area or neighborhood; shall not be unsightly, undesirable, or noxious; and/or includes measures that will be taken to adequately buffer or otherwise mitigate any incompatibility.
- B. The approval of an application, amendment, or map shall constitute a finding by the approval authority that the application, amendment, or map is consistent with the standards and purposes enumerated in the Plan, this Title, and/or NRS. The approval of any application, amendment, or map will not waive building codes, fire codes, business license requirements, or any other requirement imposed by County, State, or Federal regulations or law.
- C. Except for administrative minor deviations, special use permits, waivers, and variances to specific development standards as approved, development shall comply with all development standards as specified in this Title.
- D. Written evidence that the FAA has determined whether a proposed structure constitutes a hazard to air navigation shall be submitted two weeks prior to final approval unless the Zoning Administrator concludes the FAA determination has been submitted early enough for action to occur, on any related Land Use Application for any proposed structure that intrudes into the Airport Airspace Overlay District that is not excepted (see Chapter 30.48 Part B); applications for which required FAA determinations have not been received shall be held or denied.

**13. Denial.** The denial of an application, amendment, or map shall constitute a finding by the approval authority that the application, amendment, or map is inconsistent with the standards and purposes enumerated in the Plan, this Title, or the Nevada Revised Statutes. Unless denied without prejudice, an application, amendment, or map that is denied is subject to the re-petition period specified in this chapter.

#### **14. Appeal.**

- A.** Except for Administrative Temporary Uses, Administrative Minor Deviations, Zoning Compliance and applications acted on by the Board, any person including the Zoning Administrator may appeal the decision of the approval authority to the Board within 5 working days of the decision, in which case the approval authority's decision will serve as a recommendation to the Board. All appeals shall be in writing, except that no appeal is required if, at the hearing on an item, Staff announces that the item shall be forwarded to the Board for final action. If appealed, the hearing process as shown below for appeals, re-petition, and reconsideration shall apply.
- B.** The appeal must be physically received by the Zoning Administrator by 5:00 p.m. of the fifth working day, or 5 working days after a notice of Administrative Decision has been mailed for administrative applications only. Once an appeal has been filed, it cannot be withdrawn.
- C.** Administrative Temporary Uses and Administrative Minor Deviations shall be final and effective the date of action on the application, and the manner of appeal is to submit, respectively, a special use permit for the use or a waiver of development standards for the deviation.
- D.** Any person may appeal the Board's approval of an application to expand the Gaming Enterprise District outside the Las Vegas Boulevard Gaming Corridor or the Rural Clark County Gaming Zone, per Chapter 463 of NRS, to the review panel of the Gaming Policy Committee within 10 working days of the decision of the Board.
- E.** A Planning Commissioner who voted on an application may not file an appeal.
- F.** In the event of an appeal, the application shall be scheduled for a hearing by the Board within 40 calendar days of the close of the appeal period unless continued for good cause. The Board may limit its discussion to the issues raised in the appeal.

#### **15. Finality of Decision.** Except where an item has been appealed or forwarded to the Board for final action, a decision becomes final upon expiration of the appeal or reconsideration period. No permits or licenses shall be issued until the action becomes final.

- A.** For all administrative applications other than administrative temporary uses, the applicant shall be sent a Notice of Administrative Decision following action on the application. Action shall be final and effective 5 working days from the date the letter was sent unless appealed to the Board. The applicant or correspondent notification must include delivery confirmation.
- B.** For all applications acted on by the Commission or Board, the notice shall be sent by first class mail following final action.

#### **16. Withdrawal.** An application, amendment, or map withdrawn by the property owner or applicant shall cease its consideration. Thereafter, the only consideration shall be whether the application, amendment, or map is subject to the re-petition limits. An application, amendment, or map request withdrawn by the property owner or applicant shall be subject to the re-petition limits specified in this chapter unless accepted as withdrawn without prejudice by the Commission or Board. An application requested to be withdrawn by the County will be considered withdrawn without prejudice. A property owner or applicant may not withdraw any portion of an application that is initiated by a government entity.

#### **17. Re-petition.** Unless initiated by a governmental entity, applications, amendments, and maps are subject to the following re-petition limits:

- A. Unless expressly denied or withdrawn without prejudice, the same application, amendment, or map, or a different application, amendment, or map for a more intensive use or increase in density, shall not be accepted by the Zoning Administrator within 12 months of final action on the previous application, amendment, or map.

**18. Reconsideration.**

- A. **Request.** For any application, amendment, or map whereby final action is decided by the Board, any member of the Board who voted in favor of the motion which carried may request that the application, amendment, or map be reconsidered if made in writing and received by the Zoning Administrator within 5 working days of the decision, in which case the decision shall not become final. The request for reconsideration shall thereafter be scheduled for a hearing before the Board on the second zoning agenda after the request was made.
- B. **Rehearing.** Should the Board approve reconsideration of the decision at the hearing, the application, amendment, or map shall be scheduled for a public hearing at a subsequent meeting of the Board.

**19. Expiration.**

- A. Unless otherwise specified in the approval of any amendment or application, the applicant or owner shall have the time specified in Tables 30.16-2 through 30.16-17 to commence or complete the use as measured from the date of the approval.
- B. The approval authority may also approve a special use permit, waiver of development standards, or variance application with a review date to determine continued compatibility with adjacent properties and the community.

- C. Any Land Use Application heard in conjunction with another application, amendment, or map shall have the same time limit unless otherwise specified by the approval authority.
- D. If construction is commenced, work shall continue until completed. If permits for the construction expire before completion and after the commencement date, the amendment or application shall expire unless an extension of time is submitted and approved.
- E. An application, amendment, or map held shall expire if more than 6 months elapse from the last scheduled meeting date without a request by the applicant for a hearing, in which case the re-petition limits shall apply. An application that has been placed on hold due to insufficient funds shall expire after 3 months from the submittal date if no replacement funds have been received.
- F. A special use permit, waiver of standards, variance, design review, zoning compliance, or administrative design review application that establishes any use, for which construction has been completed or the use commenced, shall expire if the building is destroyed and not reconstructed, or the use is discontinued and not reestablished, within 1 year if the use or structure has not otherwise become nonconforming. A use is considered to be discontinued if the required license or permit for the use has expired. When reconstruction is required, if reconstruction is commenced within 1 year, the application shall not expire, providing construction is continuous and building permits do not expire.
- G. Satisfaction of pre-submittal conference requirements, including all documents submitted thereto, shall be considered expired after 180 days, or 2 successive application batching cycles if applicable, whichever comes first (Note: the batching cycle during which a pre-submittal conference occurs shall count as the first of 2 successive cycles.)  
(Ord. 3955 § 2 (part), 6/2011; Ord. 3924 § 3 (part), 1/2011; Ord. 3848 § 3(part), 2/2010; Ord. 3757 § 2 (part), 4/2009; Ord. 3720 § 2 (part), 12/2008; Ord. 3688 § 3 (part), 10/2008; Ord. 3586 § 3 (part), 2/2008; Ord. 3520 § 2 (part), 6/2007; Ord. 3518 § 4 (part), 5/2007; Ord. 3472 § 3 (part), 1/2007; Ord. 3432 § 2 (part), 10/2006; Ord. 3397 § 2 (part), 6/2006; Ord. 3382 § 1 (part), 5/2006; Ord. 3355 § 2 (part), 2/2006; Ord. 3296 § 3 (part), 10/2005; Ord. 3229 § 3 (part), 6/2005; Ord. 3219 § 2 (part), 5/2005; Ord. 3163 § 2, 12/2004; Ord. 3085 § 46, 6/2004; Ord. 3055 § 2 (part), 4/2004)

### **30.16.230 Notice.**

- a. Before an application for which a hearing is required is acted upon, notice of the hearing shall be provided as required in Tables 30.16-2 through 30.16-17 above.
  - 1. Any notice required shall be written in language which is easy to understand and shall give the date, time, place, purpose of the hearing and, when applicable, give a physical description or map of the property in question.
  - 2. The notice shall be sent by mail or by electronic means, when acceptable to the owner, tenant, or entity to which the notice is sent, if receipt of the electronic notice can be verified.
  - 3. All required public hearing notices must be sent prior to the first public hearing as stated below. If the date and time of any subsequent hearing is announced at the meeting, additional notice is not required, except for hazardous material or explosive requests.
  - 4. Additional notice and fees apply when more than 85 calendar days have elapsed since the date of the meeting from which the last notice was sent. If an application is held indefinitely, or a less restrictive request is made part of the application, renotification is required.
  - 5. If the Commission or Board requires a subsequent application with public hearing as a condition of approval for an application, the notice provided shall be the same radius notification currently required for the original application. Notices for design review applications may also include notice of proposed changes in location of uses or principal structures when applicable.
  - 6. Special use permit applications for explosives, or hazardous materials or waste, shall include a list of the substances and quantities that will be located at the facility.

- b. Pursuant to the notification requirements established in Tables 30.16-2 through 30.16-17, public notice consists of the following types:
1. **Entity Notice.** Where entity notice is required, an advisory notice of an application shall be sent to interested governmental and public utility entities including the Town Board whose jurisdiction includes the area of the petition as requested, or as required by law, a minimum of 10 calendar days prior to the meeting. A courtesy notice shall also be sent to any Town Board whose jurisdiction is within 1/2 mile of the proposed project. When the application is a special use permit for explosives or hazardous materials or waste, notice shall be sent to:
    - A. The Administrator of the Division of Environmental Protection of the Department of Conservation and Natural Resources.
    - B. The State Fire Marshal.
    - C. The Administrator of the Division of Industrial Relations of the Department of Business and Industry.
  2. **Posted Notice.** All applications scheduled for a hearing before the Commission and/or Board shall be shown on an agenda, which shall be posted in various designated public locations within the community, in conformance with NRS 241.020 (Open Meeting), a minimum of 3 working days prior to the meeting. Note: all agendas are accessible on the Clark County internet web page ([www.accessclarkcounty.com](http://www.accessclarkcounty.com)).
  3. **Newspaper Notice.** Where newspaper notice is required, notice of the hearing shall be published in a newspaper of general circulation within the County a minimum of 10 calendar days prior to the meeting.
  4. **City Notice.** Where city notice is required, notice of the hearing shall be sent to the governing body of a city which completely surrounds the property proposed to be reclassified or which is within an area affected by an interlocal agreement between the County and city. City notice required for special use permits shall include any city whose boundary is within 500 feet of the proposed site, and city notice for projects of regional significance and high impact projects shall include any city whose boundary is within 1/2 mile (2,640') of the proposed site.
  5. **Radius Notice.** Where radius notice is required, notice of the hearing shall be sent a minimum of 10 calendar days prior to the meeting to:
    - A. Each owner of real property listed on the latest assessment rolls of the County within the radius specified to the exterior boundary of the land described in the petition, or the owners of the nearest 30 separately owned parcels, whichever provides notice to the greater number of property owners. The specified distance listed in Tables 30.16-2 through 30.16-17 for each application type or specific request shall be noticed.
    - B. Each tenant of a manufactured home park when the park is within the notice area specified above, and including each tenant of a manufactured home park proposed for redevelopment to a different use.
    - C. The property owner or applicant. If a proposed amendment involves a change of the zoning district that reduces the density or intensity of use, the notice must include a section that allows the property owner whose property's density or intensity of use will be decreased to state his approval of or opposition to the proposed amendment.



- D. Where delivery confirmation notice is required, notice shall be sent by delivery confirmation mail at least 10 calendar days prior to the meeting to the owners of all properties within the specified radius.
  - E. If the application is for a special use permit for explosives, hazardous materials or waste, the tenants of multiple family dwelling units shall also be notified, and the notice shall be sent not less than 30 calendar days prior to the hearing before the Commission and the Board.
  - F. Any property or homeowner's association registered with the County whose organization boundaries are defined by a recorded subdivision and are located within the notification radius for the specified application type.
6. **Abutting Properties.** Where notice to abutting properties is required, notice shall be sent least 10 calendar days prior to the meeting to the owners of all properties abutting any segment of a street established by easement, dedication, or prescriptive right, the name of which is proposed to be changed, or to all properties within the area affected by any street numbering change.
7. **Area Notice.** For a major project initiated by a property owner, after a pre-application conference and prior to the Board hearing on a Specific Plan, the developer shall notify property owners inside and within 2,500 feet of the proposed planning area, to provide information on the proposed project, to allow opportunity for public input, and to address the rights and obligations of the property owners within the planning area. The developer shall notify the County of the date, time and location of the meeting. If the proposed major project has been initiated by the Board, the Zoning Administrator shall schedule, notify and conduct the meeting. See Chapter 30.20.
8. **Signs.** When required, a sign, or signs, shall be posted by the County on the property describing the time and place of the public hearing, existing and proposed land use categories, and the purpose of the request. Sign requirements include:
- A. The sign shall be a minimum of 4 square feet (2' x 2') in size.
  - B. The letters indicating the time of the public hearing and the proposed application shall be a minimum of 2 inches in height.
  - C. The sign shall remain on the property until final action is complete.
  - D. The sign must reasonably calculated to withstand the elements for 40 calendar days and must be consistent in the use of colors for the background and lettering of the sign.
- E. **Number of Signs.**
- i. For tracts of land less than 15 acres, 1 notification sign is required.
  - ii. For tracts which exceed 15 acres, an additional notification sign is required for each improved street front within the petition which exceeds 1,320 feet.
  - iii. No single application shall be required to post more than 5 notification signs on the property.
  - iv. For manufactured home parks proposing redevelopment to a different use, one additional sign shall be clearly posted at the entrance to the manufactured home park's on-site manager's Office. (Ord. 3848 § 3(part), 2/2010; Ord. 3780 § 1, 6/2009; Ord. 3757 § 2 (part), 4/2009; Ord. 3635 § 3(part), 6/2008; Ord. 3549 § 3(part), 9/2007; Ord. 3520 § 2 (part), 6/2007; Ord. 3354 § 2 (part), 2/2006; Ord. 3296 § 3 (part), 10/2005; Ord. 3229 § 3 (part), 6/2005)

Table 30.16-18 LAND USE APPLICATIONS - NOTICE REQUIREMENTS FOR APPLICATIONS SUBJECT TO A HEARING														
NOTE: SECTIONS 30.16.210, 30.16.230, AND 30.16.240 MAY ESTABLISH ADDITIONAL REQUIREMENTS														
				Non-Public Hearing				Public Hearing						
Application Type	Posted Notice	Entity Notice	City Notice	Newspaper Notice	100' Radius	500' Radius	750' Radius	1000' Radius	1500' Radius	2500' Radius	Abutting Properties	Area Notice	Signs	
Text Amendment	Yes	Yes	Yes							Yes <sup>12</sup>			Yes <sup>12</sup>	
Zoning Boundary Amendment - Conforming	Yes	Yes	Yes <sup>8</sup>	Yes				Yes <sup>14</sup>	Yes <sup>12</sup>				Yes <sup>14</sup>	
Zone Boundary Amendment - Nonconforming	Yes	Yes	Yes <sup>8</sup>	Yes					Yes <sup>10, 12, 14</sup>				Yes <sup>14</sup>	
Special Use Permit	Yes	Yes	Yes <sup>8,9</sup>			Yes <sup>14</sup>	Yes <sup>1</sup>		Yes <sup>8, 15</sup>				Yes <sup>14</sup>	
Special Use Permit (Explosives and Hazardous Materials in amounts regulated by NRS 459.3816)	Yes	Yes <sup>2</sup>	Yes <sup>8,9</sup>	Yes				Yes <sup>3</sup>					Yes	
Special Use Permit (Alcohol as Principal Use outside a Gaming Enterprise District, or Mixed Use Development)	Yes	Yes	Yes <sup>8,9</sup>						Yes				Yes <sup>12</sup>	
Special Use Permit (Gaming Enterprise)	Yes	Yes	Yes <sup>8,9</sup>							Yes			Yes	
Variance (for deviations less than 30%)	Yes	Yes	Yes		Yes		Yes <sup>1</sup>	Yes <sup>4</sup>						
Variance (for deviations more than 30%)	Yes	Yes	Yes <sup>8</sup>			Yes	Yes <sup>1</sup>	Yes <sup>4</sup>	Yes <sup>12</sup>					
Design Review	Yes	Yes	Yes <sup>8</sup>											
Design Review-Public Hearing <sup>13</sup>	Yes	Yes	Yes <sup>8</sup>			Yes	Yes <sup>1</sup>		Yes <sup>12</sup>				Yes <sup>12</sup>	
Vacation and Abandonment, public hearing	Yes	Yes	Yes	Yes		Yes <sup>11</sup>								
Vacation and Abandonment, easement only		Yes												
Street Name or Numbering Change	Yes	Yes	Yes								Yes			
Waiver of Conditions	Yes	Yes	Yes		Yes <sup>6</sup>	Yes <sup>6</sup>	Yes <sup>6</sup>	Yes <sup>6</sup>	Yes <sup>6</sup>	Yes <sup>6</sup>				
Waiver of Development Standards (for deviations less than 30%)	Yes	Yes	Yes		Yes		Yes <sup>1</sup>	Yes <sup>4</sup>						
Waiver of Development Standards	Yes	Yes	Yes <sup>8</sup>			Yes	Yes <sup>1</sup>	Yes <sup>4</sup>	Yes <sup>12</sup>					
Annexation Request	Yes	Yes	Yes											
Extension of Time - Hearing	Yes	Yes	Yes			Yes <sup>7</sup>		Yes <sup>7</sup>		Yes <sup>7</sup>				
MAJOR PROJECTS														
Specific Plan	Yes	Yes	Yes <sup>8</sup>			Yes							Yes	
Land Use Plan Map Amendment	Yes	Yes	Yes <sup>8</sup>	Yes		Yes						Yes	Yes	
Public Facilities Needs Assessment	Yes	Yes	Yes <sup>8</sup>			Yes								
Development Agreement	Yes	Yes	Yes <sup>8</sup>			Yes								
Development Plan	Yes	Yes	Yes <sup>8</sup>	Yes		Yes							Yes	
Tentative Map <sup>14</sup>	Yes	Yes	Yes										Yes <sup>14</sup>	

Table 30.16-18	LAND USE APPLICATIONS - NOTICE REQUIREMENTS FOR APPLICATIONS SUBJECT TO A HEARING NOTE: SECTIONS 30.16.210, 30.16.230, AND 30.16.240 MAY ESTABLISH ADDITIONAL REQUIREMENTS
<b>Additional Requirements:</b>	<ol style="list-style-type: none"> <li>1. For a project of regional significance only.</li> <li>2. Notice must be sent to the entities listed under 30.16.230 (1).</li> <li>3. Notice must be sent to the tenants of multi-family housing units in addition to property owners and manufactured home park tenants. All required notices shall be sent a minimum of 30 calendar days prior to the Planning Commission hearing and shall also be resent a minimum of 30 calendar days prior to the hearing before the Board.</li> <li>4. Only if to reduce the required separation for large scale retail businesses.</li> <li>5. Newspaper notice shall be published and public hearing notices sent a minimum of 10 calendar days prior to the Board's public hearing.</li> <li>6. The same notice as the original application.</li> <li>7. The same notice as the original application, if required.</li> <li>8. For projects of regional significance and high impact projects, city notification shall include a radius of 1/2 mile (2640') from the boundary of any adjacent city.</li> <li>9. City notification shall include a radius of 500 feet from the boundary of any adjacent City.</li> <li>10. The 1,500' notification radius also applies to neighborhood meetings required for nonconforming zone boundary amendments.</li> <li>11. Notice must be sent by certified mail.</li> <li>12. For applications to expand or amend the Mixed Use Overlay District.</li> <li>13. Notice for design review applications may include changes in location of uses or principal structures. If the Commission or Board requires a subsequent design review with public hearing as a condition of approval for an application, the notice provided shall be the same notice provided for the original application requiring the design review.</li> <li>14. Notice to redevelop a manufactured home park to a different use shall include each tenant of the manufactured home park proposed for redevelopment, and one additional sign posted at the entrance to the manufactured home park Office.</li> <li>15. For high impact projects only.</li> </ol>

(Ord 3924 § 3 (part), 1/2011; Ord 3688 § 3 (part), 10/2008; Ord. 3520 § 2 (part), 6/2007; Ord. 3354 § 2 (part), 2/2006; Ord. 3296 § 3 (part), 10/2005; Ord. 3229 § 3 (part), 6/2005; Ord. 3219 § 2 (part), 5/2005; Ord. 3209 § 4 (part), 3/2005; Ord. 3174 § 2 (part), 1/2005)

### **30.16.240 Document Submittal Requirements.**

- a.** All documents accompanying applications shall be legible and suitable for microfilm and imaging reproduction. All documents submitted are available to the public for inspection and copying. All plans must be accurate, drawn to a standard scale not smaller than 1 inch equals 60 feet, or 1/8 inch equals 1 foot, dimensioned, and folded so they can be placed into a legal size file.
- 1. Application.** A signed application, notarized when required by the Zoning Administrator, detailing the nature and justification for the request. For signature of a corporation, or of someone other than the property owner, corporate declaration of authority or power of attorney must accompany the application. A leaseholder should consult with the property owner prior to the submission of an application.
- 2. Site Plans.**

  - A.** Site development plans showing the uses of the parcel of land, existing and proposed structures, setbacks, yards and open space, maximum slope of property (if exceeds 12%), see Chapter 30.56 for hillside development), lot layout, the size and number of parking spaces, routes of vehicular access, the location of signs, the location of landscaping, trash enclosures, loading spaces, sight zones, and any other information that is necessary for the Zoning Administrator to evaluate the request. Proposed development shall be shown on the entire parcel or parcels included within the application. Plans accompanying applications other than a Design Review or Administrative Design Review shall be considered conceptual plans only, and will still require the submission of a Design Review or Administrative Design Review.
  - B.** For an annexation request and vacation and abandonment, the plan shall show the property proposed to be annexed or vacated, the adjacent parcels, and the political jurisdiction to which the adjacent parcels belong.
  - C.** For planned unit development (PUD), the plan shall additionally show (or a separate plan be submitted that shows):

    - i.** All required open space areas in relation to property lines, buildings, pavement, streets, and pedestrian connections.
    - ii.** All public parks, public recreational facilities, or other open space reserved for public use with acreage equivalent to the open space requirements for the proposed project.
- 3. Floor Plans.** Floor plans indicating the size of existing and proposed buildings, the use of space and total square footage of buildings. Plans accompanying applications other than a Design Review or Administrative Design Review shall be considered conceptual plans only, and will still require the submission of a Design Review or Administrative Design Review.
- 4. Elevation.** Elevations indicating the architectural appearance, the types of building materials proposed for the exterior, and the height of the existing and proposed buildings. At the discretion of the Zoning Administrator, photographs of existing structures may be substituted for required elevations. Plans accompanying applications other than a Design Review or Administrative Design Review shall be considered conceptual plans only, and will still require the submission of a Design Review or Administrative Design Review.
- 5. Landscape Plan.** Plans accompanying applications other than a Design Review or Administrative Design Review may be conceptual. All other plans shall address applicable

sight visibility concerns, including adequate spatial considerations for the size (height and width) and foliage spread of plant materials at maturity, and shall show the following:

- A. Landscaped areas in relation to property lines, pavement, streets, buildings, traffic control signs and devices, and sight visibility zones.
  - B. The common name, botanical name, size, number and location of existing and proposed plant materials and non-living ground cover (See Appendix C, Plant List).
  - C. Water features, fences, and retaining walls.
  - D. Total landscape area in square feet, with amount of any permitted turf (in square feet) separately listed.
  - E. Grading to show retention of precipitation when possible.
  - F. Location of overspray sprinklers.
6. **Locator Map.** A map which shows the location of residential developments, structures for religious services, and public or private schools within 2,500 feet of the property upon which the establishment is to be located.
7. **Assessor's Map(s).** The most recent official Assessor's plat map or maps, to scale, indicating the subject parcels, together with a list of all of the parcel numbers included within the proposal if more than 1 parcel is involved. For street naming, street name or numbering change, and vacation and abandonment applications, Assessor's maps for the entire alignment affected by the application shall be required.
8. **Zone Boundary Map/Legal Description.** When multiple zoning districts are requested with a single application, the legal description for the area of each zone boundary shall be typed on a clean sheet of paper, together with maps showing the proposed district boundaries.
9. **Deed.** The most recent recorded deed is required. For any extension of time, the deed is required only if ownership of the property has changed since the original application's approval.
10. **Legal Description.** The legal description of the property shall be typed on a clean sheet of paper. The legal description of an easement and/or right-of-way to be vacated or property to be reconveyed must be typed on the "Exhibit A" form provided by the Zoning Administrator.
11. **Parking Analysis.** An analysis of required parking for all existing and/or proposed uses at the location shall demonstrate adequate parking based on Chapter 30.60. The analysis may be included on the site plan. For any waiver of standards which proposes to reduce required parking, a parking study justifying the reduction shall also be submitted.
12. **Letters of Consent.** For minor deviations (when the proposed improvement is adjacent to an existing developed property) and vacating patent easements only, notarized letter(s) of consent for a proposed improvement as required by this Title, are required from property owner(s) adjacent to the requested improvement. However, minor deviations for architectural height intrusions shall require signatures from all abutting property owners.
13. **Annexation Letter.** A letter, memo, or standard form issued by the City into which a property is proposed to be annexed acknowledging the property owner's intent to be annexed and the City's willingness to consider the request if approved by the County.

- 14. Justification Letter.** A letter stating justification(s) for the approval of a Land Use Application, including how the proposal will produce an environment of stable and desirable character consistent with the objectives of this Title and the Comprehensive Plan, an analysis of outstanding issues, the intended uses, the impact on adjacent properties, the need for any public utility or public services, actions to be taken to minimize any detrimental impacts of the proposal, an analysis of how the proposal is consistent with the standards of approval listed for the various applications and, if applicable, the time period for which any permit is sought. A justification letter submitted for a special use permit or waiver of development standards for a group home shall be considered a request for accommodation. A justification letter submitted for waiver or variance applications for projects approved through a nonconforming zone boundary amendment shall include clear and convincing evidence pursuant to Table 30.16-7(1)(3). Also see Compelling Justification in Section 30.08.030.
- 15. Letters from Fire Alarm Office and Building Official.** A letter from the Fire Alarm Office and Building Official which specifies that the proposed name is in accordance with the guidelines shown in Las Vegas Valley Street Naming and Address Assignment Policy, as adopted by the Board on August 3, 1988.
- 16. Regional Infrastructure and Services Evaluation (RISE) Reports.** The RISE reports are an integral part of the application process for high impact projects to identify additional necessary infrastructure and/or services. The Director of Comprehensive Planning shall provide a RISE Report handout for completion and submittal by the applicant. Separate unbound copies of the reports must include the name of the correspondent, telephone number, project location, Assessor's parcel number(s), project information including number of units and area for single-family, multi-family, commercial, industrial and hotel/casino uses, a development schedule (including demolition) and any phasing plans. The reports are to include relevant information for consideration by the reviewing authority. They are intended to evaluate existing infrastructure and services. The reports should indicate how services not planned in the Comprehensive Plan, or anticipated can be provided to accommodate any increased demand for services created by the proposed project such as a high impact project, non-conforming zone change or text amendment to modify the Mixed Use Overlay District. Except as provided below, they are not intended to be detailed engineering studies nor are they intended to substitute for detailed engineering studies required later in the development process, however, the reports must include accurate data representing the impact of the proposed project. The reports include:
- A. Water Supply Report.** Report indicating: 1) the quantity of water demanded during, and after, its construction, estimated by applying a demand factor established by the provider of water service, or an equivalent calculation, to the number of units that will be created, and the gross acreage that will be occupied, by the project; and 2) that there is an adequate supply of water and that the necessary facilities exist to deliver the water to accommodate the project. The report should also include all fire flow requirements. If the existing water supply or service facilities are not adequate, the petitioner must indicate how the existing supply and service facilities will be augmented to accommodate the development. The report should also address the effect of any officially adopted plans and/or schedules for publicly provided improvements.
- B. Wastewater Treatment Report.** Report indicating: 1) raw sewage quantity discharged for the entire project, estimated by applying a sewage generation factor established by the sewer service provider to the proposed number of units or area of indoor floor space; 2) raw sewage quantity discharged for each phase; 3) whether the project will generate any industrial waste; 4) a pre-treatment plan for industrial waste; 5) the existing wastewater treatment facilities and pipelines are adequate. If existing wastewater treatment capacity, equipment and pipelines are not adequate, indicate how existing facilities will be augmented to accommodate the proposed development. The report should address the

effect of any officially adopted plans and/or schedules for publicly provided improvements.

- C. Transportation Report.** A report prepared by a professional engineer addressing overall transportation impacts including pedestrian circulation, traffic, right-of-way, and mass transit, as outlined below. The report shall also include any required improvements such as pedestrian bridges, grade separated arterials, and any alternative transportation facilities or structures, such as bicycle racks. High impact projects should submit, a summary of the traffic impact analysis, highlighting the following:

**Traffic.** The report shall address both vehicular and pedestrian traffic generated at full build out. The analysis must estimate traffic volumes generated by the proposed development (estimated by applying to the proposed project, average trip rates for peak days and hours established by the Institute of Transportation Engineers or its successor), distribute, and assign these volumes to the study area streets and intersections. Effects of expected traffic must be included, mitigation measures proposed and recommend a network of arterial and collector streets to accommodate traffic volumes projected at project build out. The proposed arterial and collector network must be presented with estimated lane requirements, including required grade separations, and regional continuity and connectivity shall be demonstrated. A level of service analysis must be furnished for each study area intersection under estimated build out traffic volumes, and shall include proposed mitigation measures and attempt to improve level of service of any intersection within the study area projected to have a level of service “D” or lower due to the proposed development.

**Right-of-way.** The report should address impacts to the Clark County Transportation Element of the Regional Master Plan of Streets and Highways of the Regional Transportation Commission and any officially adopted plans and/or schedules for publicly provided improvements and provide preliminary information delineating public and private right-of-way dedication measures and the existing and planned, capacities of roads considered by the petitioner to be adequate to alleviate adverse access and traffic circulation impacts. The report shall also delineate proposed access controls and address the need for pedestrian bridges.

**Mass Transit.** The report must also provide the distance from the proposed site to the nearest existing mass transit loading point for both employees and visitors. The analysis must include projected demand of the project for mass transportation to/from the site even if the site is served or planned for service.

- D. Geotechnical Report.** Report delineating proposed impact mitigation measures considered by the petitioner to be adequate to alleviate adverse geologic hazards and adverse subsurface soil and groundwater conditions. The development must comply with the currently adopted building code and local amendments.
- E. Flood Control and Drainage Report.** The report should indicate the project will comply with Clark County Regional Flood District Hydrologic Criteria and Drainage Design Manual. The developer will be responsible for building adequate facilities in compliance with the flood control manual. The report must indicate how the existing site area drainage pattern will be altered; estimate quantity of storm water runoff increase, by using adopted hydrologic methods. The report should address if total water runoff quantity after construction exceeds the existing or planned storm water drainage system capacity; if the proposed project will require drainage mitigation to protect the development and downstream property owners from interim flows, and facilities needed to mitigate the flows should be incorporated into the overall site design.

- F. Fire Protection and Emergency Services Report.** General project information inclusive of project square footage, acreage and average daily trips, as well as tourist accommodation information. For existing projects, include total square footage to be demolished, total rooms and or resort to be demolished. Project demand should be analyzed regarding Fire Department personnel, facilities and services in the following areas at a minimum: adequate water supply, location of project with respect to the existing service area, and any special hazards accompanying storage, use or processing of hazardous materials associated with the project. Finally the report should include the lowest occupied floor below grade and the estimated completion date of the project.
- G. Police Service Report.** The report shall indicate the following: 1) the number of calls for police service in the vicinity and the average police response time; 2) identification of any security measures proposed to be provided for the project by the petitioner; 3) address the effect of any officially adopted plans and/or schedules for publicly provided improvements; and 4) the distance from the site to where the nearest police services are provided, including facilities that are planned but not yet constructed, and facilities which have been included in a plan for capital improvements prepared by the appropriate local government pursuant to NRS 278.0226.
- H. Educational Services Report.** An estimate of the number of school-age children (elementary through high school) which will live in the proposed development and data regarding the current capacity of the public schools which provide educational services to the area and the existing and planned capacities of schools. The report should include infrastructure necessary to serve the development. The report should also address the effect of any officially adopted plans and/or schedules for publicly provided improvements.
- I. Neighborhood Impact Report.** A report estimating the impact on existing public services, consumption of natural resources, housing and the quality of life enjoyed by the residents of surrounding neighborhoods, and also demonstrating that the proposal will not be detrimental to the health, safety, or general welfare of the community. Total proposed population generated by the project should be included. The report must list amenities within 1/4 mile of the proposed site including but not limited to open spaces, planned recreation areas, resort hotels, shopping centers, and theaters and in general, places open to the public. Each item should be accompanied by a description of each possible way the amenity could be accessed from the proposed site.
- J. Economic and Employment Impact Report.** A report estimating the economic benefit of the proposal, including the number of potential jobs created by the proposal, direct and indirect impacts to the economy, job to income ratio and housing.
- K. Parks/Trails.** A report estimating the effects to recreation and cultural services as delivered by Clark County Parks and Recreation Department, specifically, effects on the County minimum standard of 2.5 acres of programmable recreation space and 1.5 acres of open space for a total of the minimum standard of 4 acres of open space per 1,000 residents, and aesthetic quality in public spaces. Specific projected population information must be included. Any proposed recreational facilities and parks must meet Clark County Parks and Recreation Department standards. The report must include any plans for facilities, artwork, and parks maintenance including estimates of how existing or proposed facilities may be affected by increased user visits, trips, or tourism. The applicant must provide the distance of the project to existing or proposed recreation and cultural facilities. Density, intensity, geographic or transportation barriers to facilities must be addressed and any other unusual conditions of access to public recreation and cultural facilities. The applicant should



address any safety and security concerns or effects. The report should identify existing or planned trails and possible linkages to the Las Vegas Valley Pedestrian/Bicycle Trail System.

- L. Air Quality and Environmental Review.** The report shall include the following information:

**Air Quality.** The project shall comply with all applicable air quality regulations. The applicant shall complete and submit the Department of Air Quality and Environmental Management (DAQEM) air quality report (part of RISE report handout) containing all pertinent project information to determine projected air quality impacts and permit requirements.

**Environmental.**

**Habitat & Species Conservation.** If the project site currently consists of natural desert vegetation, a description of how the property will be searched for desert tortoises, burrowing owls and plants on federal and state protection lists must be provided before beginning land disturbing activities.

**Storm Water.** The report shall include a description of how the project design will prevent illicit and foreign substances from entering the storm water conveyance system, including materials from roads and parking surfaces.

- M. Federal Lands.** The report should include if the land is currently held in private or public ownership. If still in public ownership, information describing the status of the land acquisition process must be included.
- N. Trails.** If the project borders a thoroughfare identified on the Regional Primary Trails Plan as a trail corridor, a description of how the project will implement the plan must be included.
- O. Analysis Summary.** A summary report of the analysis, issues, improvements, and proposed phasing of improvements concurrent with development.
- P. Additional Reports.** The Zoning Administrator, Planning Commission or Board may require the submittal of any other reports and/or information they feel is necessary to make an informed decision on the application.

- 17. Ownership/Applicant Disclosure.** A disclosure form provided by Clark County that requires applicants to list the names of individuals holding more than 5% ownership or financial interest in the business entity appearing before the Board of County Commissioners, except as provided below, shall be submitted with an application as required. "Business entities" include all business associations organized under or governed by Title 7 of the Nevada Revised Statutes, including but not limited to private corporations, close corporations, foreign corporations, limited liability companies, partnerships, limited partnerships, and professional corporations. Publicly traded corporations shall list all Corporate Officers and Board of Directors in lieu of disclosing the names of individuals with ownership or financial interest. The disclosure requirement, as applied to land-use transactions, extends to the applicant and the landowner.

- 18. Fire Permit Survey Form.** A disclosure form provided by Clark County that requires applicants to identify the presence of hazardous chemicals, explosives, hazardous chemical

waste, or other hazardous materials or substances involved in the storage, manufacturing, or use of such materials at a business site.

- 19. Project Description.** A brief summary description of the proposed development, including total acreage, zoning or amendment requested, significant site characteristics (if any), building designs, heights, and intended uses as shown on plans, previous and potential use permit or waiver requests, surrounding zoning and land uses, analysis of outstanding issues not covered by the compelling justification letter, and any other information necessary for a preliminary evaluation of the project.
- 20. Easements/Right-of-Way Documents.** These shall include 1 copy of each document, which created an encumbrance or easement on the property as shown on the title report. For right-of-way dedication purposes, the applicant shall perform a record of survey to determine underlying title rights in relationship to “as built” improvements on Las Vegas Boulevard. For all projects along Las Vegas Boulevard, a transportation study shall identify the necessary improvements in relation to the determination of necessary right-of-way. (See also 30.52.030 (a)(1)(J))
- 21. Vicinity Map.** A map showing the location of a proposed project in relation to the surrounding area (vicinity) which shall include, at a minimum, the notification radius required for a given application type and identify all major streets, highways, and railway lines within the vicinity and all the land uses proposed for the project. Additional information shall also be included as required per Title 30 for various application types.
- 22. FAA Submittal.** Written evidence from FAA of prior submittal of Form 7460-1, Notification of Proposed Construction, pursuant to Section 30.56.070 and Chapter 30.48 Part B.
- 23. Pedestrian Circulation Plan.** A plan showing the functional integration and layout of all public and private pedestrian connections to adjacent projects, properties, and public rights-of-way. The plan shall clearly show pedestrian connections to all existing and proposed sidewalks, pedestrian bridges, trails, transit stops, parking areas (public and private), park and ride facilities, and public (open space) areas such as, but not limited to, pedestrian arcades and plazas. The plan shall also include the following:

  - A.** Cross section and elevation details for all proposed pedestrian connections, including sidewalks on both sides of all streets whether public or private.
  - B.** The location and design details of all amenity zone features within the pedestrian realm.
- 24. Development Agreement.**

  - A.** A development agreement shall:

    - i.** Describe the land subject to the development agreement;
    - ii.** Specify permitted property uses, density or intensity of the uses, and maximum height, size and setbacks of proposed buildings;
    - iii.** Provide, where appropriate, reservation or dedication of land for public purposes, including, but not limited to rights-of-way, easements or public facilities, as may be required or permitted pursuant to laws, ordinances, resolutions, rules or plans adopted by the Board or the Regional Transportation Commission and in effect at the time of entering into the agreement;

- iv. Specify the duration of the agreement and, if desired, terms for modification and extension of the agreement; provide that the parties shall not be precluded from extending the termination date by mutual agreement or from entering into subsequent development agreements or supplements thereto;
- v. Specify other conditions, terms, restrictions and requirements for other discretionary actions;
- vi. Address all issues identified in the RISE reports submitted with a land use application and the Public Facilities Needs Assessment (PFNA) relating to the project if a PFNA has been approved for the subject property in accordance with this Title; and
- vii. Contain a description of the final resolution proposed for each issue identified, and any other information identified and deemed necessary as a result of any action by the Board.

**B. A development agreement may:**

- i. Provide for commencement and completion of various portions of the proposed development. Each portion or phase of development or improvement contemplated should have the ability to stand alone, independent of proposed further phases or improvements. Subsequent phases of development may be added to completed phases to achieve independent status;
- ii. Include conditions imposed by other land use and permit approvals related to the proposed project;
- iii. If required by the Board, be accompanied by a bond, posted by the property owner, to ensure provision of some or all public facilities;
- iv. Contain an indemnity or insurance clause requiring the developer, applicant and/or property owner to indemnify the County against certain claims arising out of the development process; and

**C. The development agreement also may cover any other matter not inconsistent with this Chapter, nor prohibited by law.**

**25. Residential Impact Statement.** A statement provided to the Planning Commission or the Board of County Commissioners with the addresses and corresponding manufactured home identification numbers of all tenants of the park proposed for closure or redevelopment; an analysis of replacement housing needs or requirements for the tenants; and an analysis of any sites to which the homes of the tenants may be moved per NRS 118B.

- b. The Zoning Administrator may determine that any of the listed documents is not necessary for a particular application and may thereby waive the requirement for the submission of the document. Duplicate documents for multiple applications being considered at the same hearing are not required. If the nature of a particular application necessitates the submittal of additional documentation, such documentation may be required by the Zoning Administrator, Commission or Board. (Ord. 3955 § 2 (part), 6/2011; Ord. 3924 § 3 (part), 1/2011; Ord. 3826 § 6, 11/30/09; Ord. 3757 § 2 (part), 4/2009; Ord. 3720 § 2 (part), 12/2008; Ord. 3586 § 3 (part), 2/2008; Ord. 3549 § 3(part), 9/2007; Ord. 3520 § 2 (part), 6/2007; Ord. 3518 § 4 (part), 5/2007; Ord. 3499 § 1 (part), 3/2007; Ord. 3432 § 2 (part), 10/2006; Ord. 3356 § 2, 2/2006; Ord. 3354 § 2 (part), 2/2006; Ord. 3296 § 3 (part), 10/2005; Ord. 3219 § 2 (part), 5/2005; Ord. 3174 § 2 (part), 1/2005; Ord. 3160 § 4 (part), 11/2004; Ord. 3106 § 2 (part), 8/2004; Ord. 3055 § 2 (part), 4/2004; Ord. 3008 § 2, 12/2003; Ord. 2989 § 1, 12/2003; Ord. 2970 § 2 (part), 11/2003; Ord. 2865 § 4 (part), 4/2003; Ord. 2756 § 3 (part), 6/2002)

<b>Table 30.16-19: DELETED</b>
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(Ord. 3354 § 3, 2/2006)